THE

LIFE

OF

Sir *LEOLINE JENKINS*,

Judge of the High-Court of ADMIRALTY,

And Prerogative Court of CANTERBURY, *&c.*

Ambaſſador and Plenipotentiary

FOR THE

GENERAL PEACE

AT

Cologn and *Nimeguen*,

And Secretary of State to K. CHARLES II.

AND A

Compleat Series of LETTERS,

FROM THE

Beginning to the End of thoſe Two Important Treaties.

Wherein are related

The moſt Remarkable Tranſactions of thoſe Times, both Foreign and Domeſtick.

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Many valuable PAPERS and Original LETTERS, relating to the *Rights* and *Privileges* of the UNIVERSITIES, and other weighty Subjects. And the Reſolution of many difficult and curious Points in the COMMON and CIVIL LAW, LAWS of MERCHANTS and of NATIONS, that aroſe within the Time of his Miniſtry.

VOL. II.

By *WILLIAM WYNNE*, of the *Middle-Temple*, Eſq;

LONDON:

Printed for JOSEPH DOWNING, in *Bartholomew-Cloſe*; WILLIAM TAYLOR, at the *Ship* in *Pater-noſter-Row*; WILLIAM and JOHN INNYS, at the Weſt-End of St. *Paul*'s; and JOHN OSBORN, at the *Oxford-Arms* in *Lombard-Street*. M.DCC.XXIV.

MVSEVM
BRITAN
NICVM

TO THE *CHANCELLOR, Vice-Chancellor, Doctors, Proctors, Maſters, and Scholars, of the Univerſity of* Oxford.

TO Addreſs ſuch a Venerable and Learned Body in the uſual Stile of *Dedications*, or in the Language of Panegyrick; however juſt and true the Subject Matter of it were, would be highly improper and unbecoming: To ſpeak of the Number or Beauty of their Colleges, the Bounty of their Founders, their juſt and regular Adminiſtration, the eminent Prelates, or famous Stateſmen it has in every Age produced, and the living Oracles of all Profeſſions, would be as endleſs as it is needleſs; ſince the World does not want the Knowledge of them, and there is hardly any one ſo ignorant, but muſt already have the full Idea of them in his Mind.

THE Deſign of this Addreſs therefore is, barely to deſire their Acceptance of theſe Remains of Sir *LEOLINE JENKINS*. That, as he received the firſt Impreſſions of Learning from that famous Univerſity, ſo it may in ſome meaſure

be returned to it again. I need as little mention, how great an Ornament he was to the Univerſity, by his vertuous and exemplary Deportment, while he lived there: For he was alſo a Friend in the ſtricteſt Senſe, a conſtant and uſeful Correſpondent even to his laſt Moments, and was upon all Occaſions a ſtrenuous Aſſerter of its Rights and Privileges. And having ſaid thus much, what can I add more to beſpeak a kind Reception; tho' I muſt freely confeſs, the mean and imperfect Reſemblance of the Portraiture, is ſo far from deſerving any Degree of Approbation, that it really wants a much better Apology than I am able to make.

MAY that ancient and famous Seminary, every Day produce many ſuch, or better, and more deſerving Men, but none worſe, than *He* was, of whom I ſpeak! May there never be wanting ſuch Magiſtrates of Worth and Eminency, as at preſent adorn and fill that Place! May it always enjoy its legal Rights and Privileges without Interruption! May it always make the juſt and proper Uſes of them, and fully anſwer the End and Deſign of its Inſtitution! In a Word, may ſtrict Vertue, true and ſolid Piety, conſtant Loyalty, uſeful and polite Learning, or if there is any Thing elſe that is praiſe-worthy, and of good Report, may it always flouriſh and abound within thoſe Walls! Theſe are the ſincere and honeſt Wiſhes of One, who formerly was of the ſame Venerable Body, a mean and unworthy Member; but One, that will ever be Their

Moſt Devoted,

Moſt Humble Servant,

William Wynne.

A CONTINUATION OF THE LETTERS, FROM THE Ambaſſadors and Mediators FOR THE GENERAL PEACE AT *NIMEGUEN*,

Beginning *January* the *Firſt*, 1676-7.

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Printed for JOSEPH DOWNING, in *Bartholomew-Cloſe*; WILLIAM TAYLOR, at the *Ship* in *Pater-noſter-Row*; WILLIAM and JOHN INNYS, at the Weſt-End of St. *Paul's*; and JOHN OSBORN, at the *Oxford-Arms* in *Lombard-Street*. M.DCC.XXIV.

A CONTINUATION OF THE LETTERS, &c.

Nimeguen, 1ſt Jan. 1676-7.

Right Honourable Sir,

OUR laſt was of the 28*th* paſt, ſince which we have not any from you to acknowledge.

In that laſt we gave you, among other Things, an Account of M. *Kinski*, the *Imperial* Ambaſſador's Deſire to us, that we would *tirer parole* (to ourſelves at leaſt-wiſe) from the *French* and *Swedes*, how they intended to govern themſelves towards him, as to the giving and receiving the firſt Viſits.

With the *Swedes* we found no Difficulty, they expreſſed themſelves with eſpecial Reſpect to the Emperor, and a Reſolution to give his Ambaſſador all the Content he could expect.

The *French*, upon our Applications to them in Conference on *Thurſday*, expreſſed themſelves to this Effect; That they were perfectly diſpoſed to render all the Honour due to the Perſon, and to the Character of the Ambaſſador.

2. That as ſoon as ever he ſhall pleaſe to notifie to them his Arrival, they will return him his Complement, and demand of him an Hour for their Viſit, which they would give him *auſſi-tôt qu'il ſeroit poſſible*.

3. To give you the very Words they expreſſed themſelves in, (for we took them in Writing in their Preſence) they added, — *Comme ils luy temoigneront par la le reſpect qu'ils ont pour S. M. Imperiale, ils s'attendent que M. le Count* Kinski, *donnera des Marques du ſien envers S. M. Très Chrétienne en leur reſtituant la premiere viſite preferablement à tous autres Ambaſſadeurs, excepté Meſſieurs les Mediateurs.*

These are the Words of the *Eclairciſſement*, which the *French* were pleaſed to give; nor would they be perſwaded from making an expreſs Demand, that the firſt *contre* Viſit ſhould be return'd to them.

His having demanded an Aſſurance, that the *French* would live with him in the uſual Manner, having given them a Jealouſy, and as

they would needs underſtand it, a Kind of Right to demand an *Eclairciſſement* from him.

COUNT *Kinski*, when we had told him on *Thurſday* Night what we gueſſed to be the Intention of the *French*, as to the giving, and their Expectation as to the receiving of the firſt Viſit, appear'd ſufficiently not to be well informed in our Style and Practice in the Matter of firſt Viſits here, and himſelf confeſſed, that not knowing it, he had gone upon a Suppoſition, he was to notify the Mediators, and his Allies, in the Style of *incognito & par Amitié*; and when he ſhould appear in Publick, was to notify them again, as alſo the Ambaſſadors of the Party adverſe to him, in caſe he were firſt aſſured from the Mediators, that they would treat him in the uſual Manner.

WE ſhall take Leave to obſerve to you, that, according to the beſt Information that we have, he did notifie all his Allies on *Tueſday* Night, (being arrived that Day) as he did us, and that they have all viſited him, as we did; and that he hath ſince returned them their Viſits, as he did to us before any of them.

AND in this Converſation he was told, 1*ſt*, That there was no Prince or Court to apply to, or appear in, in this Place, and conſequently thoſe Styles of *cognito* and *incognito* not followed.

2. FROM the Practice of the three laſt Aſſemblies, in that of *Munſter*, the other of *Cologn*, and this of *Nimeguen*, there was but one Viſit of Ceremony or Complement between the Parties, with this Difference, that at *Munſter* the Parties began with ſolemn Entries, and lay ſtill without any Manner of Notification, till they were in Equipage to receive and give ſolemn Viſits; but that here the King our Maſter had interpoſed his Offices ſo early, as to prevail with the Parties to make no Entries at all into this Town, and to order their firſt Viſits with as much of Diſpatch, and as little of Pomp as might be.

3. THAT the Practice had been conſtantly ſo in this Place, and that there was no Ambaſſador here but had receiv'd and return'd the firſt Viſit before their Houſes were in Order, and before they had ſet up the Equipage they have ſince appear'd in.

4. WE intimated to him at a Diſtance, that if he would pleaſe to conform himſelf to that Practice, he would thereby avoid a Difficulty, which we foreſaw would embarraſs him and the *French*, if he did not haſten his Notifications, and conſequently his Viſits, before the *Spaniſh* Ambaſſador did appear in Publick; for we foreſaw, that, according to the Style of *Vienna*, he muſt give the firſt Reſpect to the *Spaniſh* Ambaſſador, (if he were out of his Figure of *incognito*) which the *French* we knew would not endure.

BUT he was poſitive in his Reſolution, of going through this double Sort of Viſits, and yet ſo cloſe as not to declare the particular Time, when he hoped he might appear in Publick; whether before the *Spaniſh* Ambaſſador appear'd, or afterwards; and for the repaying of Viſits, which the *French* deſire to be ſatisfied in, his Anſwer was in theſe Words, — *Je ne manquera pas de les rendre dans la forme qui eſt pratiqué dans toutes les Courts de la Chrêticnné & même dans le Saint Empire.*

THIS Declaration of Count *Kinski*'s, we communicated to the *French* on *Friday*; it pleaſed them not; their Complaint was, that M. *Kinski* had firſt demanded an *Eclairciſſement* of them, how they intended to govern themſelves, and he had had it; but that this Anſwer upon it was ſo general and ambiguous, that it did require an Explication, which would be yet a further Trouble; however, M. *d'Eſtrades* being abſent, they took further Time to conſider of it.

ON

On *Saturday* the *French* Ambaſſadors came to deſire our Offices, to ſtop Count *Kinski*, as of our own Heads, from returning the Viſit to the *Daniſh* Ambaſſador; for if that Step were once made, (tho' *incognito*) before they, the *French*, were notified of Count *Kinski*'s Arrival, there would be no Poſſibility left for them to receive his Notification afterwards, and conſequently to viſit him.

This gave them Occaſion to declare, that what had paſſed between Count *Kinski* and us the Mediators (tho' they knew he had rendred us our Viſit the Day before) would make no Difficulty, but that his Viſits to the Allies would, unleſs we could draw from him a kind of a Declaration, that what had paſſed between him and his Allies was no more but by Way of Interview, to acquaint each other of the State of their Affairs, but that he had not given them any formal Notice of his Arrival.

2. That they, the *French*, hoped, in Recompence of his having paſſed by them in his Notifications *à l'incognito*, he would give them now ſo much the timelier Notice, (an Hour or ſo before the *Dane* and the reſt of the Allies) upon Suppoſal that *Don Pedro Ronquillo* lay ſtill *incognito*; by which Means they would be the firſt to take an Hour from him, and conſequently the firſt to viſit him; which would give them a Kind of Right to a *contre* Viſit from him before any other.

On *Saturday* in the Afternoon, we ſpoke with him upon theſe Heads, but we found him reſolute in two Things:

Firſt, He would not forbear to reviſit thoſe Allies who had viſited him, pretending thoſe were but Viſits *de l'amitée à l'incognito*, and were not of any Conſequence to thoſe ſecond Viſits he intended to make, when he ſhould be *en Etat de paroître en public*.

In the other Point, which was about the Time of the ſecond Notification he intended, he was reſolved to notifie all the Parties at one and the ſame Time, as near as was poſſible for him; and if the Gentlemen of two Ambaſſadors ſhould come at one and the ſame Time, to ask an Hour of him, he would ſend them back to their Maſters, with a Deſire that theywould agree that Point of Priority among themſelves.

It was in vain that we repreſented to him the Novelty of this Way of double Viſits, and that it would overthrow that which the King our Maſter had taken ſo much Pains in, to retrench all Matters of Ceremony; and that thoſe ſolemn Viſits would go near to ſet up ſolemn Entries, which all the Parties, upon his Majeſty's Perſwaſion, had been pleaſed to decline; but he was pleaſed to hold to his Concluſion, that the Notifications he had made, and the Viſits he had received *à l'incognito*, were in Order to his Buſineſs; and that he could not notifie the *French* and *Swedes* as ſoon as he did the Mediators and the Allies, till he knew what Returns would be made to him; that when he ſhould declare himſelf Ambaſſador, he intended to repeat his Notifications, and would expect Viſits upon them, alledging it to be the Style of all the World.

The *French* finding, upon our Conference with them on *Saturday* Night, that we did not give them any Hopes Count *Kinski* would forbear his Viſit to the *Dane* and his other Allies, before he notified them; and that the Notification he intended them would be ſo timed, as that they ſhould, in all Probability, come ſhort of making the firſt Complement, and conſequently take from him the firſt Aſſignation, enlarged very much into Complaints upon this Occaſion.

That it was at the Inſtances of the King our Maſter, that the Moſt Chriſtian King had ordered them his Ambaſſadors, to decline all ſolemn Entries, and conſequently all ſolemn Viſits. That

That they, the *French*, had received the firſt Viſits that had been made them *ſur des chaiſes de Paille*, and that firſt Viſits had been made them by others without Livery, and yet that they never thought or heard of any ſecond or more ſolemn Viſits.

That upon this Endeavour of Count *Kinski*, to introduce a Novelty of two Viſits, they deſired it might be repreſented to his Majeſty as their Complaint, that what he had with ſo high Prudence directed, and was now eſtabliſhed, would be overthrown; and this not for any Good of the Aſſembly, but on Purpoſe to bring a new *Accrochment* and Delay.

They deſired us not to trouble ourſelves to make any more Journeys in their Behalf to Count *Kinski*, but to tell him, when we ſhould happen to ſee him, that they, the *French*, *vivront avec luy comme ils doivent vivre avec l'Ambaſſadeur de S. M. Imperiale pourveuqu'il vive avec eux comme il doit vivre avec Les Ambaſſadeurs de ſa. M. Trés Chrêtienne.*

These Ambaſſadors deſired us to uſe theſe preciſe Words, and no more, upon any further Converſation with him about theſe Viſits.

Yesterday at three, M. *Kinski* took an Hour of us again, his Buſineſs was to tell us, that he had received Orders from the Emperor, *d'agir* (that was his Word) *avec ſes Alliez & de legitimer ma Perſon par le Extradition de la Plenipotence dont je ſuis muni.* — That therefore he came to deſire of us, to make an Offer once more to the *French* in his Name and Behalf, and to let them know, he would give them a Notification of his Arrival, when he ſhould be in a Condition to appear in Publick, provided they would promiſe to do him the Honours due to the laſt Comer; that is, return him his Complement, and make him the Viſit at the Hour that he ſhould aſſign them, letting them know withal, that he ſhould be ſure to return their Viſit in the ſame Order he ſhould receive it; if it were the firſt, his *contre*-Viſit ſhould be the firſt to them; and to this he deſired a categorical Anſwer from the *French* and *Swedes*.

The *French* we ſpoke with at *five*, and when we had made this Offer, they withdrew to adviſe a while, before they gave us their Reſolution; they asked us, whether we took the Notification that Count *Kinski* had given us, *pour bonne & valable*; and ſo for the Viſit we gave him, and that he returned us.

We could not chooſe but tell them, that we took all *pour valable*, the Notifications were, and the Viſits too, in the uſual Form, and that we thought no more of any Viſit of Ceremony, before this Difficulty between them and him did appear, that Count *Kinski* and we had ſatisfied what was due, and that there remain'd no more of Ceremony to be performed.

Whereupon they gave us their final Reſolution in theſe Words, and were well contented we ſhould take them in Writing; *Apres que M. le C. de* Kinski *à declare qu'il a déja notifie ſon arrivée à pluſieurs Ambaſſadeurs & Miniſtres, des quels meme il à receu la viſite, la ſeconde Notification qu'il pretend de faire eſt contraire à l'uſage & aboli dans cette aſſemblée, du conſentement de tous ceux qui ſont arrivez devant luy, & par eux obſervé ſans contredit; ainſi Meſſieurs les Ambaſſadeurs de* France *qui ne veulent point introduire un novel uſage, ne peuvent pas recevoir une telle Notification, apres ce qui eſt paſſé.*

Upon this we have Reaſon to fear, that as M. *le C. de Kinski* hath ordered his Buſineſs, there will be no Interview between him and the *French*, and that he will go near to involve us in the ſame Difficulty; for

for as he is reſolved to notify all Ambaſſadors here, the *French* excepted, over again, he will notify us likewiſe, and we cannot avoid it; then if we do not return the Complement, and viſit him again in Ceremony, that will beget a Breach of all Commerce between him and us; and if we do, we ſhall concur to the introducing of a new Stile, which Stile may be of ill Conſequence, and is, as we take it, contrary to his Majeſty's Intention and Deſign all along, to retrench Matter of Ceremony as much as may be.

ANOTHER Thing that we know not well how to anſwer, may be objected to us, eſpecially by the *French*; it is, that we ſhall hereby have ſhewed this Ambaſſador a double Reſpect, to that we have ſhewed to them or any other; and herein we moſt humbly beg the Favour of your Directions, we being reſolved, as we ſtand adviſed, not to redouble our Viſit of Ceremony; for that would be to introduce a Novelty to juſtify Count *Kinski*'s Miſtake, and yet would not help to accommodate him and the *French*; for we cannot hope that the *French* will be eaſy in this Matter; ſince it is certain, that either this Ambaſſador, or thoſe that are to come from the Emperor, will do what they can, to give the Priority of Viſit to the *Spaniſh* Ambaſſador.

ONE Thing we ſhall take leave to obſerve unto you, that on the Evening before Count *Kinski* return'd us our Viſit, (which was on *Friday*) we entreated him very earneſtly to conſult with his Allies, hoping they would, as we did, adviſe him to make his Notification to the *French*, before he render'd us, or any elſe, the *Contre* Viſit; whether he conſulted them or not, we cannot yet tell; but ſure we are, he *Contre*-viſited the *Dane* as well as us, notwithſtanding all our Intreaties.

ANOTHER Thing worth the noting is, that in his firſt Diſcourſes, he allowed the firſt Reſpects to be due to the Mediators, preferably to all others, and ſaid, tho' they ſhould not happen to be ſo quick as others in demanding and taking an Hour for their Viſit; and that others ſhould have given their firſt Viſits before them; yet the Party viſited was bound to make the *Contre*-viſit to them in the firſt Place, notwithſtanding the General Rule.

THIS was our very Caſe with the *Swedes*, and they gave into this Exception to the Rule; but in his latter Conferences with us, (and we have had one with him, and ſo with the *French* once a Day theſe five laſt Days) he ſeemed to be of another Opinion; ſo that if we ſhould accept of a ſecond Notification, which he declares, ſhall be at one and the ſame Time to all Ambaſſadors, we ſhall hazard that we are now in a quiet and uninterrupted Poſſeſſion of; for the Diſtance of Houſes being conſidered, and the Nimbleneſs wherewith all Ambaſſadors return their Complement upon a Notification, the *Swede*, the *Spaniard*, and the *Hollander*, will have returned the Complement before we can poſſibly do it.

THIS we do the rather lay before you, becauſe that upon the Obſervation we made to him, (not with Reference to ourſelves, but to ſome other the furtheſt diſtant from him) all the Anſwer he was pleaſed to make was, that he was reſolved to notify all *à même temps*, but that it was not in his Power to remove Houſes.

WE are ſorry that we are forced to trouble you with this long Deduction, that has nothing in it but the Ceremonial Part of our Buſineſs. We can truly ſay, that we have not a Syllable to add in this Diſpatch, concerning the real and ſubſtantial Part; for ſince our laſt, we have not heard one Word from M. *Beverning*, or from any elſe, touching

thoſe

thoſe two Projects of *Plenipouvoir* of the *French* and *Swedes*, [which have lain in M. *Beverning*'s Hands, ever ſince *Saturday* was ſevennight.

ONE Thing more in the Ceremonials we ſhall take leave to add, that on *Friday*, a Secretary from the *Brandenburgh* Ambaſſadors brought us ſeparately a long Meſſage from his Maſters.

1*ſt*, That he (the Secretary) had demanded of us an Hour for his Maſter's *Contre*-Viſits, within a Day or two after that we had viſited them.

2. THAT M. *Somnitz* had written us a Letter, to offer it both for himſelf and his Collegue, and that we had not anſwered that Letter.

3. THAT he was now come to offer it again, provided that we would receive both the Ambaſſadors with the ſame Treatment of *Excellence*, the *Pas*, and the Hand, in our Houſe, the Emperor's Ambaſſador having already given it them at his Houſe in an *incognito* Viſit, that they had made him; that he would do it again, when they ſhould give him a more ſolemn Viſit; that the *Spaniſh* Ambaſſador would follow his Example, and that the *Dane* had done it already.

4. THAT they preſſed at this Time to acquit themſelves of the *Contre*-Viſit to us, becauſe they foreſaw they would ſuddenly be engaged in Viſits and *Contre*-Viſits with the *Imperial* and *Spaniſh* Ambaſſadors; and if they were ſo before they did render us ours, it would be an *Embarraſs*.

HAVING met together to give him our Anſwer jointly, we told him, we had been always ready, and were ſtill ſo, (ſince we perceived Things were yet entire) to receive the *Contre*-Viſits, and did offer him any Hour of that Day.

THAT for the Treatment he demanded to be aſſured of to M. *Blaſpiel*, we had given the Ambaſſadors themſelves an Account of what we were directed, and were at Liberty to do; and could give him no other Account, but that we had ſent to acquaint the King our Maſter, with what thoſe Ambaſſadors had then inſiſted upon.

WHEN he ſaw he could not gain his Point, he told us, he had Orders in the next Place to enquire, whether we would, as Mediators, (notwithſtanding the preſent Difficulty) interpoſe our Offices in thoſe Parts of the Negotiation here, that might concern the Elector of *Brandenburgh*.

TO this we told him, his Maſters might pleaſe to call to Mind what we had already done, even after the Difficulty happen'd in the Incident of M. *Oxenſtiern*'s Lacquey, and that they might thence conclude, we ſhould endeavour not to be wanting in any of the Duties of our Function. This was our Anſwer, and we have heard no more of the Gentleman.

HERE we ſhall take leave to obſerve, that as ſoon as theſe Ambaſſadors ſhall have reviſited any other, our Caſe, as it lay before you in our firſt Account of this Buſineſs, will be quite altered; therefore we humbly deſire your Directions in what we are to do.

Firſt, WHAT Satisfaction we ſhall expect for not paying us the *Contre*-Viſit in the firſt Place.

2. IF his Majeſty ſhould let Things ſtand as they do, till the *French* and the *Swedes* do come up to this new Treatment, that the *Imperial*, *Spaniſh*, and *Daniſh* Ambaſſadors have given to, what Manner of Applications we, as Mediators, ſhall make to the *Brandenburghers*, or receive from them, in the Functions and Offices that may be requiſite from us between Party and Party.

THE

THE Favour of your Direction in this, will be ſo much the greater, aswe are likely to be called upon for our Offices, as ſoon as the Allies come to a Reſolution upon the Form of the *Plenipouvoir* now in their Hands. We are, *&c.*

J. Berkley.
L. Jenkins.

Nimeguen, 4th Jan. 1676-7.

Right Honourable SIR,

OUR laſt was of the 1*ſt* of this Month, ſince which we have the Favour of yours of the 26*th* paſt, which came yeſterday to our Hands, to acknowledge.

WE bemoan ourſelves very much that it did not reach us 48 Hours ſooner, for Mr. *Hyde* (who arrived here on *Chriſtmas-Day*) was not to be perſwaded to ſtay any longer than *New-Years-Day*, (that he went away in the Morning) in a certain Expectation of one of his Majeſty's Yachts (come to fetch him) that would be upon the Coaſt before he could reach to *Rotterdam*, calling by the Way at the *Hague*, as he intended.

WE were not wanting in our Earneſtneſs to perſwade him not to ſtir hence, till he heard of the Yacht's being upon the Coaſt; but he having, it ſeems, ſet down in his Letters to *London* from *Cologn*, the Stages he intended, and thinking the Yacht would be waiting for him in a very few Days, we were not able to perſwade him to make any longer Stay here.

HOWEVER, as ſoon as we received your Letter yeſterday, we ſent him our joint Letter, having incloſed in it that Paragraph which relates to Mr. *Hyde*, beſeeching him to make all the Haſt poſſible to return hither, in Expectation of his Majeſty's Commiſſion, and aſſure himſelf, that not only either of our Houſes, but both of them, and every Thing elſe that we are able to do, will be entirely at his Service; and of this we hope on *Saturday* to have ſuch an Anſwer, as we may be able to ſend you hence on *Monday* to your Satisfaction.

AS to the Mention of his Majeſty's Name in the Preamble of the *Plenipouvoirs*, we have laid before you other Projects of the *French* and *Swedes*, beſides that with our Letter you received of the 21*ſt* of M. *d'Olivenkrantz*; and we ſhall expect your further Directions therein, as you are pleaſed to put us in Hopes.

ONLY we ſhall obſerve unto you, how nicely they refine upon that Point; for where it is ſaid by the *French*, that this Place of *Nimeguen* is accepted by all the Parties for the Place of Conference, *par les ſoins à la Mediation du Roy de la Grand Brettagne*, the *Spaniſh* Ambaſſador would have it to be, *par les ſoins & l'interpoſition*; but he adds, (profeſſing himſelf to be not only a moſt devoted Servant of his Majeſties, but a perfect *Engliſhman*) he would have an honourable Mention of his Majeſty brought into the Act obligatory, as of the common Mediator accepted of by all the Parties.

THIS with what we find from Count *Kinski*'s Applications and Diſcourſes to us, makes us believe that the Emperor looks upon himſelf to have concurr'd in the Acceptance of his Majeſty's Mediation, as fully and perfectly as any other of the Parties whatſoever.

As for the *Brandenburghers*, we have nothing to add to our laſt, but that it is the Conjecture of ſome of the Miniſters here, that the Difficulties now reſting between Count *Kinski* and the *French*, (who are no Friends to their Pretenſions) may have ſome Addition from their Diſcontent.

For the *Hamburghers* Paſſports, the *French* were no ſooner ſpoken to, but they promiſed to write to their Court; having uſed the like Offices to the *Swedes*, they were pleaſed to ſend us a Letter to their King upon that Subject, as the Secretary told us, with a Deſire we would tranſmit it to the Magiſtrates of *Hamburgh*; and when we acquainted them (by the Means of his Majeſty's Reſident there) with the Contents, (which they ſay are very favourable to their Demand) to leave the Conveyance of the Letter to thoſe Magiſtrates, hereby ſomewhat induſtriouſly declining to make uſe of our Covert, as they have upon all Occaſions done, ſince *September* laſt, notwithſtanding we have offer'd them that Service upon ſeveral Occaſions.

They do pretend it not to be agreeable to the Dignity of their King, to have that Condition of uſing our Covert to be impoſed upon him by the King of *Denmark*, and yet Sir *J. Paul* adviſes us, that their Pacquets are conveyed hence under M. *Beverning*'s Covert, to the *Holland* Reſident at *Copenhaguen*, tho' that Reſident be forced to take Advice from Sir *J. Paul*, and (for ought we know) his Covert too, to paſs thoſe Letters into *Sweden*.

As to the Nuncio's coming hither, (which is the laſt Paragraph in your Letter) we hear no more of it, than that *Bevilacqua* is the Man, and that M. *Crampricht*, the *Imperial* Reſident at the *Hague*, has made ſome Overture for a Paſſport for him, but hath not given in any Memorial; and having had the Queſtion put to him, concerning the Style that this Government might be induced to give the Pope, he thought that of *Sereniteé Papaleé* would be accepted.

On *New-Years-Day* in the Evening, *Don Pedro Ronquillo* took an Hour of me Sir *Leoline Jenkins*, (tho' he be ſtill *incognito*) praying me to learn from the *French* Ambaſſadors, how the Goods and Moveables of the Marquiſs *les Balbaces Spinola*, that were to come before that Ambaſſador, and not in the Train attending his Perſon, ſhould be ſafe from being made Prize.

The Cauſe of his Scruple was, he ſaid, that Count *d'Urcell*, a Gentleman of the *Spaniſh Netherlands*, being at *Madrid*, and having a Paſſport from *France*, had ſent ten or a dozen Horſes before him towards *Flanders*, upon the Confidence of this Paſſport, which extended to his Horſes too; but his Horſes came no ſooner within *France*, but they were ſeized on, and made Prize; the pleading of this Paſſport did not ſerve his Turn afterwards at *Paris*, for that it wanted the Words *Conjointement* and *Separement*; and therefore not only Marquiſs *Spinola*, but *Don Pedro*, deſires ſuch Paſſports as may be ſufficient in ſuch a Caſe, he having ſome Concerns of his own coming from *Antwerp* hither; this Scruple of *Don Pedro*'s gave us Occaſion to give in a Memorial to the *French* Ambaſſadors, the Copy whereof goes herewith incloſed.

From this he paſſed to a long Conference upon the Difficulties between Count *Kinski* and the *French*, which ended in this, that he would try to get Count *Kinski* to make a Declaration either by his Mouth, or M. *Beverning*'s, that the Notices he had given to his Allies upon his Arrival, and the Interview that followed, were not intended for Viſits, and that he would give a fair Notification with Indifference of his Arrival to all.

On the other Side, he thought it reaſonable the Mediators would labour with the *French*, to accept of ſuch a Notification, and to be content with the *Contre*-Viſit return'd them in the ſame Order it ſhould be given him; he ſpoke of Count *Kinski*, as a Perſon not employed before in any Buſineſs of State, he having gone thro' his Studies at *Lovaine*, and afterwards paſt ſome time in *Italy*, where he got his Punctuality; but had never any publick Employment, before that of his Preſidency in Judicature of Appeals, in *Bohemia* excepted.

One Thing he let fall, but would not own it for an Inducement to the *French*. It was, that he, *Don Pedro*, could not be ready to appear in Publick, till Count *Kinski* had done his Viſits, which yet being conſidered, would excuſe the Count from the Obligation of giving him the Priority.

He was very earneſt that the Mediators ſhould go over the Notifications and Viſits again. I excuſed it with the Reaſons we had agreed upon, and gave you an Account of in our laſt; I cannot ſay he was ſatisfy'd with them; but much of his former Earneſtneſs for our accepting of a ſecond Notification, and making a ſecond Viſit, was taken off.

As to the main Buſineſs of the Treaty, that which he touched upon was this; he enquired whether we had his Majeſty's Reſolution touching the Mention of his Mediation in the *Plenipouwoirs*; he ſaid, he long'd for it.

That they, the *Spaniards*, are concerned to manage the Pope very much, it being now hoped, there would be 'ere long a League formed between the Pope, the *Venetian*, and the Grand Duke, and other Princes of *Italy*, to preſerve that Country in its Peace; what Iſſue this would have, he knew not; but he was extreamly ſenſible of the ill Condition of the *Spaniſh* Affairs there.

That he for his Part has a hard Province here, the *Dutch* running too faſt to a Peace, and ſwallowing all in Order to it. The *Imperial* Ambaſſador being in the other Extream, will make no Advances at all, but lays hold of every Thing to *accroche* it; ſo that he is forced to ſtop the one Side as much as he can, and to bring on the other.

That he for his Part believes nothing of what is ſaid of ſeparate Treaties going on at the *Hague* at this Time, tho' ſome of the Allies are extreamly alarm'd: He is ſatisfied his Majeſty intends a general Peace; and that ſuch a Peace will be moſt ſuitable with his Majeſty's Affairs.

The ſame Evening, M. *d'Olivenkrantz* repeated to us, his Reſolution and his Collegues, to accept the Notification of Count *Kinski*, and to pay him the Reſpects conſequent to it. He gave us his Reaſons why he differ'd from the *French*. 1*ſt*, The *French* took notice of Reports that Count *Kinski* had notified and viſited others, and received Viſits of other Ambaſſadors, before he had notified them; and that the *Swedes* gave no Heed to ſuch Reports. 2*dly*, The *French* were tyed ſtrictly to their Maſter's Orders, yet they were able to obtain them in a few Days, and conſequently bring no great Hindrance upon the main Buſineſs; whereas the *Swedes* could not hope for any Orders in a competent Time, becauſe of the Stop upon their Letters; and therefore muſt yield in every Thing they can poſſibly, rather than hinder the main Buſineſs.

He expreſſed it as a Wonder to him, that we, the Mediators, had heard nothing all this while from M. *Beverning*, nor of the Project of

a *Plenipouvoir*, that we had ever ſince the 23*th* of the laſt Month put into his Hands from the *Swedes* and the *French*.

His Conjecture was, that they, the Allies, could not agree among themſelves; that M. *Beverning* had writ to the *Hague* for Orders; and that they were (as he ſuppoſed) the longer in coming, becauſe the Penſioner is indiſpoſed at this Time.

He took Occaſion to diſcourſe of the Differences between us and the *Brandenburghers*, and that our Caſe and theirs (the *Swedes*) was very like; for it was probable the King their Maſter would, he ſaid, follow the Emperor, the *Spaniards*, and the *Dane*, in the Style they ſhould take up; tho' they, of their own Heads, were not at Liberty to do it, their Orders being to treat the *Electoraux* as it was at *Munſter*, *Oſnabrug*, and other Places in the Empire: But he did extreamly approve of the Temperament we were willing to admit of with the *Brandenburghers*, in being willing to negotiate the Exchange of the Elector's *Plenipouvoirs*, or any other Matter in the Treaty that concerned him: He ſaid, the Difference in Ceremonials ought to be kept diſtinct from the Functions of the Mediation; and we might ſafely go on in thoſe, while we expected Satisfaction or Order in the other.

We ſhall take Leave to cloſe this Diſpatch with ſaying, that we have not one Word from M. *Beverning* or his Collegue upon the Adjuſtment of the *Plenipouvoirs*, that the firſt was ſo zealous in before the Holy-days. We are, *&c.*

J. Berkley.
L. Jenkins.

To the Lord Ambaſſador *Hyde*.

Nimeguen, 5*th Jan.* 1676-7.

My Lord,

THIS Morning arrived here the Bearer M. *Smith*, ſent Expreſs from Court, with a Commiſſion (as he tells us) for your Excellency, to be join'd with us in the Work of this Place; we are heartily glad of it, and ſhall think the Time long till we have the Happineſs to ſee you here return'd: We have not opened, nor indeed meddled with the Commiſſion, thinking it moſt proper to diſpatch the Bearer back again into *Holland*, and order him to preſent the Commiſſion into your Excellency's own Hand. We have done ſo the rather, for that in the Letter we have from Mr. Secretary *Williamſon*, by the ſame Bearer, addreſſed to me the Lord *Berkley*, and to yourſelf in the next Place, and then to our other two Collegues, there is not one Syllable of Direction relating to the Commiſſion, nor indeed any Mention made of it. We take Leave to repeat here the Offers we made to your Excellency in our laſt, and ſhall be glad in this Occaſion, and in all other, to approve ourſelves, My Lord, your Excellency's, *&c.*

J. Berkley.
L. Jenkins.

Nimeguen,

Nimeguen, 8th Jan. 1676-7.

Right Honourable Sir,

OUR laſt was of the 4*th*, ſince which we have the Favour of yours of the 29*th* paſt (delivered us on *Friday* about 8 in the Morning by M. *Smith* the Expreſs) to acknowledge.

You will have perceived by our laſt Letter, that he is come too late to find our Collegue Mediator in this Place, (which he left on *New-Years-Day* in the Morning) we therefore returned the Expreſs immediately, to go and find him in *Holland*, which we hope he hath done long 'ere this, either at the *Hague* or *Rotterdam*.

In the Diſpatch you have favour'd us with by this Expreſs, we find how much need we have of his Majeſty's gracious Pardon, which we moſt humbly beg, for the Fault we have committed, in giving in the Minutes of Powers that we had drawn up, in the *French*, and not in the *Latin* Tongue: We ſhall be careful for the future to give in Things of this Nature in *Latin*.

We moſt humbly beg Pardon likewiſe, for the Error we have committed, in giving in, as we have done in ſome Meaſure, to the Hopes that all the Parties here did conceive and entertain themſelves with, that his Majeſty might of himſelf think fit to forego the Mention of his Mediation in the Preamble of the Powers.

What we have done in this Kind, we were brought to do by the great Confidences wherewith M. *Beverning* and *Don Pedro Ronquillo* did, in all their Converſations with us, expreſs themſelves to rely upon it, as a Thing not to be doubted of; *Don Pedro* relying upon the Force which the Precedent at *Munſter* will have with his Majeſty, and M. *Beverning* upon the Experience he hath of the Facility his Majeſty gave in this Point, in his Mediation at *Aix-la-Chapelle*.

Beſides, had we oppoſed ourſelves directly againſt thoſe Aſſurances the Parties framed to themſelves, of his Majeſty's Help in this Difficulty, we are apt to think, that ſome of them would have more earneſtly inſiſted upon having a Form of a Power, without any Mention of a Mediator at all, than they have ſince done, that they might have a Colour to throw that *Accrochment* upon the Mediators.

But as for the Offer of any Expedient that we may be thought (as our Letter of the 18*th* paſt happens to be worded) to have made, in caſe *France* and *Spain* ſhould be difficult, which ſhould firſt accept of the Temperament, of having neither his Majeſty nor the Pope mention'd; I Sir *Leoline Jenkins* having been preſent with our Collegue Sir *William Temple*, at that Conference we had with the *Dutch* on the 18*th* paſt, humbly beg Leave to aſſure you, that however we happen'd to ſay in our Letter that we (not excluding M. *Beverning*) fell upon the Mention of the Expedient there deduced, yet it was what M. *Beverning* had thought on, as he then declared, and was not any Thing that we for our Parts had thought on, or purpoſed, nor have we ſo much as heard of that Expedient ſince.

As to what M. *Courtin* may have told his Majeſty, of an Apoſtil to his Letter from the *French* Ambaſſadors here, that they, the *French* Ambaſſadors, had received from Court, wherewith to ſatisfie and clear all Difficulties ariſen in the Point of naming his Majeſty as Mediator in the Powers, and that his Majeſty was expecting to have from us what

what that was, we gave you an Account in our Diſpatch of *Chriſtmas-Eve*, of all that the *French* Ambaſſadors have ſaid to us upon that Subject, as alſo Tranſcripts of the two Sorts of Projects they had put into our Hands, to tranſmit to the Allies.

To that Account, we have this to add, that laſt Night the *Dane* and the two *Dutch* Ambaſſadors came to my Houſe, the Lord *Berkley*'s, at an Hour they had taken; they gave us an Account of a Meeting they had had the Day before, all the Allies together, at the *Imperial* Ambaſſadors.

They began with telling us, what a great Regard the King of *Denmark* and the States reſpectively had to his Majeſty's Mediation; but that they found the Ambaſſadors of the Emperor and *Spain* (tho' deſirous enough to ſhew the like Reſpect to his Majeſty's Mediation, yet) were at a great Difficulty how to mention it, and not the Pope's, whoſe Mediation thoſe two Courts had accepted, before they did his Majeſty's.

That the Allies had debated the Projects we had given in to M. *Beverning*'s Hand on the 23 *d* paſt, and the *French* and the *Swedes* had given them to us a long while, and with Warmth, and at laſt had come to a Reſolution to change the Word *Mediation*, as the *French* had couched it, into the Word *Offices*.

In the *French* Project it was ſaid, that all the Parties had been brought to agree to the Town of *Nimeguen*, *par les ſoins & la Mediation du Roy de la Grand Brettagne*; the Allies would have it changed, and ſaid, it was agreed *par les ſoins & les Offices du Roy de la Grand Brettagne*, which is all the Alteration or Amendment they offer to the *French* Project.

They told us, that they (theſe three Ambaſſadors) had charged themſelves to deſire us to conſent and give our Approbation to this Amendment.

To this we anſwered (after that we had ſtept aſide and ſpoke together) 1 *ſt*, That the *French* and the *Swedes* having ſent them, the Allies, by our Conveyance, a Project of their own, in the drawing up of which we had no Hand; and the Allies having this Amendment to offer to it, our Conſent was no proper Ingredient to it; the Concurrence of the *French* and *Swedes* to that Amendment, was now the only Requiſite to render it what they deſired, that is, a common Form among the Parties.

2 *dly*, We deduced to them what a Train that Affair had taken, how the *French*, the *Swedes*, and the *Dutch*, finding Difficulties upon the Original Powers they had reſpectively exhibited, had jointly requeſted us to draw up a Form that might ſerve for all, which we had done: Then we obſerved to them, how we had been ſpoke to, to alter that Form of ours, ſo as to leave out the Mention of his Majeſty's Mediation; but that we had excuſed ourſelves, as in a Thing not fit for us then to do, without firſt knowing his Majeſty's Pleaſure.

Some of the Reaſons we made Uſe of then we did now repeat, ſhewing them that we lay ſtill bound by the ſame Reaſons, till we ſhould receive his Majeſty's Directions; for as before we did not preſume to offer a Form where his Majeſty's Mediation was not mention'd, having found it in all the Original Powers we had yet ſeen; ſo now we could not declare any Conſent or Approbation of ours, for changing of the Word *Mediation* into *Offices*, till we knew his Majeſty's Pleaſure.

And whereas M. *Heugh* would have had us carry this Project to the *French*, with the Amendment in it, as if it had been made by us, we excuſed

excuſed ourſelves, (as we had done before to the *French*) ſaying, that in an Inſtrument that was intended to ſerve all Parties, we were to have no Hand either in the making or mending of it, but as far forth as all the Parties ſhould agree to employ us.

THEN M. *Beverning* finding that we could not be brought to declare any Thing of Conſent or Judgment upon this Amendment, made it his Requeſt to us, in the Name of the Allies, to uſe our Offices in handing the Project thus amended to the *French* and *Swedes*.

THAT they did own this Amendment, as the General Senſe and Conſent of the Allies, and deſired no more of us but to know from the *French*, whether they would admit of it; and if not, what other Expedient they could propoſe to ſatisfie the *Imperial* and *Spaniſh* Ambaſſadors, who, if any Mediation be mentioned, muſt have the Pope's likewiſe: Our Offices, as thus required, we thought we could not refuſe them, it being, as we humbly conceive, incumbent upon us, to hand from one Party to the other, whatever Inſtrument, Propoſitions, or Expedients are brought to us.

FROM the *Plenipouvoir* which M. *Beverning* left in our Hands, with all the Blanks fill'd up according to the Style of his Maſters, and the Words he would have changed with a Stroak drawn under them, as you'll find by the Copy herewith incloſed, he paſſed to the Act obligatory, and deſired it might not be peremptory, to oblige the Ambaſſadors to procure Powers in the Form agreed on, for that ſuch an Undertaking did not ſo well ſuit with the Reſpect due to great Princes from their Miniſters; but only to uſe their Offices and Diligence in Order to procure them within the Time prefixt.

HE deſired there might be one Clauſe added, (which formerly we told you the Allies were not agreed upon) it was, to oblige the Parties to enter into Matter, and treat while they were in Expectation of the Powers in Form.

WE charged ourſelves with both theſe Papers, in Order to communicate them (the ſooneſt poſſibly we can) to the *French* and the *Swedes*; theſe Ambaſſadors having intimated to us, that they little doubted, but that the *French* and the *Swedes* would agree to the Alterations or Amendments in them, and conſequently the Treaty, as to the main Matters in it, would begin.

WE muſt not forget to tell you, that as theſe three Ambaſſadors did profeſs his Majeſty's Mediation, to be the only Mediation that their Maſters relied on; and that this Amendment was forced upon them by the *Imperial* and *Spaniſh* Ambaſſadors; ſo they would agree to a Mention of his Majeſty's Mediation in thoſe Terms of Reſpect, that was in Juſtice due to it, in the Act obligatory that ſhould relate to this *Plenipouvoir*, deſiring we would draw a Clauſe to that Effect.

WE did return them our humble Thanks for this Overture of their Reſpect to his Majeſty; but excuſed ourſelves, in that we were to do nothing of that Kind, but either by the Direction of his Majeſty, or elſe at the Requeſt of all the Parties.

IN this Converſation, we took an Opportunity to propoſe to them, and by their Favour to their Allies, that they would pleaſe to conſider of the Stadt-Houſe, or any other certain convenient Place, for general Conferences; to this M. *Beverning* anſwered, that the Allies agreed yet in ſo few Things among themſelves, that they could not think of a Matter ſo circumſtantial, as that was, before they underſtood one another better, in more eſſential ones.

It ſeemed to us, that M. *Beverning* had ſomething of Reſentment ſtill remaining, from his Converſation yeſterday with M. *Kinski*, ſaying, he (M. *Beverning*) was now too old to learn; and that the other, becauſe of the great Figure of his Maſter, looks upon the reſt of the Allies, as bound in a Manner to range under him. Monſieur *de Haren* paſſed it over with this Reflexion only, that he, M. *Kinski*, was *propoſiti tenax*.

We took likewiſe Occaſion to deſire the *Dutch* Ambaſſadors Offices (ſince they were already in Poſſeſſion of mediating between the *Brandenburghers* and us, and to let thoſe Ambaſſadors know, that we had his Majeſty's expreſs Orders to go on in the Functions of our Mediation, and to give them our Offices in whatever Part of this Negotiation they ſhould have uſe of us, as if no Difficulty in Point of Ceremony (which now lies before his Majeſty) lay between us and them. This the *Dutch* Ambaſſadors promiſed to do very readily, as ſoon as M. *Blaſpiel* (who is now out of Town) was returned.

We muſt not forget to give you this Account that we have in general of M. *Kinski*'s Viſits; that the *French* have been prevailed with, by their Allies the *Swedes*, to viſit Count *Kinski*, as well as others will, if they be notified; but the Time that he will notify his Arrival is not yet certain.

On *Thurſday* they told us, they were come to this joint Reſolution with the *Swedes*, and we are taken by all Parties for content with the Viſit and Reviſit, that have paſt between us and Count *Kinski*.

On *Friday*, M. *de Haren* told us, that they (the *Dutch* Ambaſſadors) were very much troubled, the Buſineſs of the *Plenipouvoir* hung thus long; that they had very peremptory Orders from their Maſters to adjuſt it, and indeed had had *une petite reprimand*, for not having done it ſooner.

That they the *Dutch* will deal openly and fairly with their Allies, and make no Step but in their View, and with their Knowledge; yet that they can ſtay for them, that will be backward, no longer.

That the Allies do fancy to themſelves, there are ſome ſecret Negotiations carried on at this Time at the *Hague*, and that our Collegue Sir *William Temple* is aſſiſting at them; but they anſwer that Objection with asking the Allies, why they do not come and enter into the open Negotiations of this Place? then they would be ſatisfied that the States intend to make the Peace here, and no otherwhere.

That he ſaw little Hopes of compaſſing a Peace before this Campaign began; that his Maſters would have an Army of 50000 Men in the Field, and had a Fond in View capable to anſwer that Expence.

Having acquainted the *Swedes* Ambaſſadors with the Conceſſions that the King of *Denmark* hath lately made to Sir *John Paul* in Writing, we find they are not content with him; and it being ſaid in thoſe Conceſſions, that the *Daniſh* Ambaſſadors here ſhould have Power to give their ſafe Conduct to Expreſſes as the *Swedes* ſhould ſend by Sea, whether from *Holland* to *Gottenburgh*, or from *Lubeck* to *Calmar*; we do not find that M. *Heugh* is yet commiſſion'd to do as in thoſe Conceſſions is expreſs'd. We remain ever, *&c.*

J. Berkley.
L. Jenkins.

Poſtſcript.

Poſtſcript.

THIS Morning we had a Conference with the *French* Ambaſſadors, upon the Papers and the Propoſitions that the *Daniſh* and *Dutch* Ambaſſadors had left with us laſt Night.

THEIR Reflexion upon the Change of the Word *Mediation* into *Offices* was, that it was perfectly one and the ſame Thing; and that Offices did comprehend in this Caſe every Thing that could be intended by the Word *Mediation*; therefore they being ſatisfied, in the Judgments they made upon thoſe Words in their Language, that there was nothing of Diminution in the one more than in the other, to the Reſpect and Honour due to the King, they conſented to the Change that was propoſed.

THE next Thing they ſaid was, that tho' they were willing to conſent to this Change, becauſe the *Daniſh* and *Dutch* Ambaſſadors did deſire it, and that they had exchanged Powers with them; yet this Conſent of theirs was not to be extended, or made Uſe of, toward the *Imperial*, *Spaniſh*, and *Brandenburgh* Ambaſſadors, who had not yet exhibited their Powers, nor entered in any Degree into this Negotiation with them.

ONLY they were contented to declare to us, that when thoſe Ambaſſadors ſhould ſo far enter into Negotiation with them, as to exchange their *Plenipouvoirs*, they, the *French*, will then enter into any Expedient that ſhall be thought reaſonable; and will, if they be thereto requeſted, oblige themſelves to procure ſuch a Form of Powers to treat with them, as they are willing to furniſh to the *Dane* and the *Dutch*, and will change the Word *Mediation* into *Offices*.

ONE Thing they declared themſelves reſolved in, that they would have the Act obligatory run in the ſame poſitive Terms it is now drawn up in, to oblige all Parties (not only to do their beſt Offices and Diligence, as M. *Beverning* offer'd it laſt Night, but) to procure and obtain the Powers in the Form that ſhould be agreed within the Time prefix'd.

THE Reaſon they gave was, that without ſuch an Engagement, all would be uncertain, and very much Time in Danger to be loſt; and that it would be to no Purpoſe to have the Parties oblige themſelves to treat and conclude Things in the interim, unleſs they did oblige their Maſters (as all Plenipotentiaries ought to be impower'd to do) to do any Act of this Kind, and to furniſh ſuch Powers as ſhall be agreed on; they muſt, they ſaid, have the Word *Alliez* added to M. *Beverning*'s Form, that is, that the *Dutch* Ambaſſadors may treat and make a Peace, not only with the Moſt Chriſtian King, but alſo his Allies.

IN this Converſation, they did call upon us very much to take Notice, and to bear Witneſs in Time and Place, to that Candour and Facility wherewith they ſtill proceed; and prayed us to obſerve, that the Allies had ſpent above a fortnight's Time upon the Project we had put into their Hands, and yet did nothing but change the Word *Mediation* into *Offices*. The Hour of Conference aſſign'd us upon this Matter by the *Swedes* is ſo late, that we cannot hope to give you any Account of it till next Poſt.

Nimeguen, 11*th Jan.* 1676-7.

Right Honourable SIR,

OUR laſt was of the 8*th*, ſince which we have the Favour of yours of the 2*d* Current.

AS to the knowing of his Majeſty's Pleaſure, upon the Point of mentioning or not mentioning his Mediation in the new Powers, we find ourſelves referr'd to your next Diſpatch; but we doubt not but you'll have already obſerved, by what the *French* and *Swedes* have done in reforming our Project, and by what the Allies have done in reforming theirs, that that Matter is taken out of our Hands, and that the Parties themſelves have adjuſted it as they have ſeen good, without ſtaying to know his Majeſty's Pleaſure, nor making other Uſe of us, than in handing what they had projected and reformed, from the one Party to the other.

FOR the Difference between us and the *Brandenburghers*, we moſt humbly thank you for the Communication you have been pleaſed to give us of his Majeſty's Reflexions, and of the Debate before him of that Point. We ſhall be ſure to govern ourſelves as you are pleaſed to direct, and wait his Majeſty's further Pleaſure.

ONE Thing we ſhall take Leave to obſerve from M. *d'Avaux*, who made it his Requeſt to us, that we would, by the Means of the *Dutch* Ambaſſadors, get M. *Somnitz* to perform what he had declared himſelf willing to do towards the *French* Ambaſſadors.

M. *Somnitz* had told M. *d'Olivenkrantz*, (as M. *d'Avaux* ſays) that he was willing to take the Complement of the *French* Ambaſſadors; that they had ſent to make them, upon their Notification for a Viſit; and that he would go to M. *d'Eſtrades*, and ſo to the reſt, and give them as it were the Re-viſit.

THIS is much if he has ſaid ſo, and the more, in that he hath refuſed (as the *Dutch* Ambaſſadors have told us) to come by himſelf, and return us the Viſit that we have made him, wherein, what Pretence ſoever his Collegue had, we are ſure he had none to complain of.

ANOTHER Thing we are yet to ſeek, how M. *d'Olivenkrantz* and M. *Somnitz* ſhould come to communicate together, ſince he has the ſame Difficulty with the *Swedes*, as he hath with the *French* and us.

WE are ſorry that what we have offer'd to your Conſideration, upon the Notice you had taken of M. *Haren*'s Diſcourſe of an *Eventual Treaty*, hath given you ſo great a Trouble; we do readily confeſs, that there is nothing directed us by your Letter, but that we ſhould watch that Matter well, and have a ſtrict Eye to it.

THAT which gave us Cauſe to enlarge, and to mention a Proteſtation, was, that you was pleaſed to refer us to what the *Swediſh* Mediators had intimated to you and me, they intended to do at *Cologn*; and as we could not find that the Precaution they reſolved to uſe, was any other than to proteſt againſt our Proceedings with the *Dutch* there, we thought it poſſible his Majeſty might direct ſomething of that Kind to be done here; and upon that Suppoſition, we took Leave to lay before you ſeveral Things, that we did conjecture might prove to be Part of our Caſe here, but we did not intend to make any the leaſt Step in a Matter of this Moment without your particular Directions; and we beg your Pardon, that we have given you ſo great a Trouble,

upon

upon a Suppoſition that our own Anxiety, rather than your Letter, brought us to.

We do look as narrowly as we can to the Proceedings here, as they tend to a ſeparate Peace, and do conceive that the *Dutch* deſire, in the firſt Place, a ſpeedy general Peace; but if they do meet with ſuch *Accrochments* from ſome of the adverſe Party, or from their own Allies, as will render the General Peace impoſſible for the preſent, we ſuppoſe they will content themſelves with a ſeparate Peace, rather than continue the War; in which caſe, we humbly deſire to know his Majeſty's Pleaſure, what is expected to be done here on our Part.

On *Monday*, as ſoon as our Diſpatch was gone, we acquainted the *Swediſh* Ambaſſadors with the Propoſal of the Allies, as the *Daniſh* and *Dutch* Ambaſſadors had repreſented it to us, to have the Word *Mediatione*, in the Preamble of their *Latin* Project, changed into *operê*, *officiis*, or ſome other Word, for the Satisfaction of the *Imperialiſts* and *Spaniards*.

This Change the *Swediſh* Ambaſſadors conſented to without any Heſitation, but having read the *Plenipouvoir* as the *Dutch* Ambaſſadors had dreſſed it, according to the Stile of their Greffe, they took Exception that the Word *Socii & Confœderati* was not added in that Part of it, where the *Dutch* Ambaſſadors have Power to treat with the King of *Sweden*'s Ambaſſadors.

They took Exception likewiſe, that in this Form, the Epithets and the Titles uſually given the King of *Sweden*, were cut ſhort with an *& cætera*, and not ſet down *per Extenſum*.

In the other Writing, which was the Act obligatory, they conſented to all that the Allies deſired, that only excepted, of promiſing to do their Offices and Diligences to procure a *Plenipouvoir* in good Form, within a Time that ſhould be prefix'd. They would have the Promiſe to be poſitive and expreſs, to procure and obtain it, giving for their Reaſon, that otherwiſe all that ſhould be treated and agreed on in the mean time, would be at an Uncertainty; and for the Argument of the Allies, that thoſe Terms did not well conſiſt with the Reſpect due from the Miniſter to the Maſter, they did not underſtand it ſo; but that if the Miniſter could oblige the Maſter to approve of and ratifie all that he ſhould do (tho' of the utmoſt Conſequence), it was no Want of Reſpect, to undertake he ſhould do a Thing of ſo little Importance in itſelf, and yet of great Advantage for the gaining of Time.

Of this Anſwer, as alſo of that which we had from the *French* in the Forenoon, we gave an Account, firſt to the Ambaſſador of *Denmark*, then to the *Dutch* Ambaſſadors.

The Ambaſſador of *Denmark* referr'd himſelf for his final Anſwer to the Reſolution of the Allies, when he ſhould meet them, to make a Report of what we had told him; but he let us ſee it would be a hard Matter to bring him to promiſe any more in the obligatory Act, than his Offices and his Diligences with the King his Maſter to procure a new Power.

He uſed ſeveral Arguments alſo againſt the Demands of the *Swedes*, to have their Maſter's Name veſted with all its Epithets and Titles; one was, that in his *Plenipouvoir*, the King our Maſter's Name was mentioned without them, there being no more ſaid but *Mediatione Regis Magnæ Britanniæ*; and he thought, that if a great King, for whom his Maſter had ſo particular a Reſpect, and in whoſe Friendſhip he repoſed all Confidence, were treated without any Extenſion of

Titles; the King of *Sweden*, againſt whom a War was declared, would have little Pretence to expect it.

ANOTHER Argument he uſed was, out of the Orignal Paſſport he this Ambaſſador had, and ſhewed us from the King of *Sweden*, in that the King of *Denmark* was treated *Rex Daniæ*, and no more; whereas, according to all Stiles, *& Norvegiæ* ſhould have been added.

ANOTHER Reaſon he added, but ſaid, it was in Confidence to us, and deſired it ſhould be manag'd accordingly; he ſaid, there was a Treaty for the Marriage of his King's Siſter with the King of *Sweden*, which he doubts not will have its Effect in Time, notwithſtanding the preſent War; that in Purſuance of that Treaty, the King of *Denmark* ſhould add to the reſt of the King of *Sweden*'s Epithets, that of being his *Brother in Law*, which is not ſo congruous at this Time.

HAVING thus done with the *Dane*, we acquainted the *Dutch* Ambaſſadors with what is above from the *French* and *Swedes*; they allowed, as the *Dane* had done, that the *Imperial*, *Spaniſh*, and *Brandenburgh* Ambaſſadors, had no colour to deſire the Change that the *Dane* and the *Dutch* had deſired in the Powers, and that they had no Title to demand that their Adverſaries ſhould come to any Expedient with them, who had not yet ſhewed themſelves upon this Place, nor exhibited their Powers, to which this Expedient is to relate; but this they thought would be eaſily remedied, by their putting, as they intend ſuddenly to do, their Powers in our Hands.

BUT in the Promiſes required of the Allies, to procure and obtain new Powers, and not only to do their Offices and Diligences, they ſaw a Difficulty, they ſaid, which they could not hope to overcome; the Stile of the Court of *Vienna*, and this Miniſter's being ſo little acquainted with Buſineſs of this Nature, made them deſpair of being able to prevail with him, to promiſe more than barely his Offices; however, that they would try what they could do.

ON *Tueſday*, the Allies had a Meeting (as we have been told) at M. *Kinski*'s, and yeſterday we ſaw the Effect of it, at leaſtwiſe in Part; for the *Daniſh* Ambaſſador, and the two *Dutch* Ambaſſadors, gave us, at an Hour they had taken at my Houſe, (the Lord *Berkley*'s) their Powers in the Form they propoſe to themſelves to get Originals in; the *Dane* gave us two Powers, both in *Latin*, the one to treat with the Ambaſſadors of *France*, the other with thoſe of *Sweden*; we encloſe herewith Copies of both.

YOU'L find the Word *Mediatione Regis Magnæ Britanniæ*, changed into *Zelo*; M. *Heugh* gave this Reaſon of their preferring that Word before *Studio & Operâ*, which they had in Conſideration; becauſe that *Zelo* did not only import his Majeſty's publick Piety, but alſo an heroic Degree of it.

BUT M. *Heugh* made a great Difficulty to have the King of *Sweden*'s Title entred *per Extenſum* in his Power; he ſaid, it was contrary to the Stile of late uſed in Treaties. M. *de Haren* urged his own Obſervation, having been preſent at the Treaty at *Copenhaguen* in 1660; where both the Kings being preſent, both contented themſelves, the one with the Style of King of *Sweden*, the other of *Denmark* and *Norway*. It was ſo, he ſaid, at the *Elucidation* of the Treaty of *Elbing*; and tho' the laſt King of *Sweden* had found Fault with the Powers, that the Miniſters of the States General had brought to treat with him; and gave them the Minute of ſuch a one he would be contented with; yet, in that Minute, his Titles were not ſet down *per Extenſum*.

To this, all the three Ambaſſadors added, that there was a known Expedient that had been made uſe of at *Munſter*, and might be very proper on this Occaſion; it was, that ſince each King would be ſure in his Powers, that he ſhould give his Miniſters here, to ſet down his own Titles in the Front *per Extenſum*, and the Title of his Adverſary in the Text, without any Addition, but *cum Legatis Regis Daniæ* (for Example) or *Sueciæ*; an Act of the Mediators, declaring that Titles aſſumed or omitted ſhould be of no Prejudice or Conſequence to either Party, would ſalve all. This they offer'd, and deſired us to preſs Home with the *Swedes*.

That Clauſe in the Act obligatory, of making a poſitive and expreſs Promiſe (not of Offices and Diligence, but) to procure the Powers within the Time prefixed, he had combated with us on *Monday* Night in very good earneſt, but now, he ſaid, he yielded, and would oblige himſelf abſolutely, and in the Words the *French* and *Swedes* had inſiſted upon; ſo powerful, ſaid he, had the Inſtances been of M. *Beverning* with him and the reſt of the Allies, that he did bring him and them to do what he liſted; upon which M. *Beverning* reply'd ſmiling, that it was with very much ado he got them to do any Thing at all.

As ſoon as he had done, the *Dutch* Ambaſſadors gave us their Powers, the one in *Latin*, which they intended for the *Swedes*; and the other in *French*, which they intended for the *French* Ambaſſadors.

In the *Latin*, they had put in *Zelo* too, inſtead of *Mediatione*; and in the *French*, they had put in *les bons Offices du Roy de la Grand Bretagne*, inſtead of *la Mediation*; and whereas the *French* Ambaſſadors had deſired that the *Dutch* Powers ſhould run to treat with the Ambaſſadors of the Moſt Chriſtian King, *& de ſes Alliez*, they put in that Word, but added theſe others, *qui ſont contre nous en guerre*.

They agreed to oblige themſelves, by a poſitive Promiſe, to procure theſe Powers in good Form, the Copies go herewith; and for the Name of the King of *Sweden per Extenſum*, they ſaid, it was a Difficulty that did not ſo much concern them as it did the *Dane*.

When they came to ſpeak in Behalf of their Allies, to wit, the *Imperial*, *Spaniſh*, and *Brandenburgh* Ambaſſadors, they allowed that the *French* have ſome Reaſon to except againſt their Pretenſions of reforming Powers, and entring into Expedients; ſince they had not yet notified their being there, much leſs exhibited any Power to found themſelves, or enter into any Matter with them. That which they promiſed for them was, that they would appear in publick very ſuddenly, and at the ſame Time put their Powers with Copies into the Mediators Hands; and at the ſame Time exhibit to them a Minute of *Plenipouvoir* in all Things agreeing with that which the *Dane* and the *Dutch* now gave in; and alſo an Act obligatory, to procure Powers in good Form, that ſhould agree with that Minute; adding, that they would make their Requeſt to the Mediators, to interpoſe their Offices, ſo as the adverſe Party, the *French* and *Swedes*, would not raiſe any Diſputes or Difficulties upon their Powers, as now they are, if they ſhould find any Thing in them that might be in Rigour excepted againſt, but rather acquieſce in that they (the *Auſtrian* and *Brandenburgh* Miniſters) give in to the ſame Minute, and the ſame Act obligatory, that their Allies do.

The laſt Thing they ſpoke to us of was, that the Allies deſired five diſtinct Powers; to wit, for the Emperor, for *Spain*, for *Denmark*, for the Elector of *Brandenburgh*, and the States; and herein they deſired

our

our Offices, to diſpoſe the *French* and the *Swedes*, not to go leſs upon any Terms than that Number.

We were no ſooner poſſeſſed of theſe ſeveral Papers, Reaſonings, and Demands, but we carried them, at the Hours we had taken yeſterday (the ſame Day) in the Afternoon, to the *French* and *Swedes*; for we are aware, that unleſs we uſe our utmoſt Diligence, when ſuch Things are put into our Hand, or if we ſhould make appear any little Difficulty on our Part, the Imputation of delaying the Treaty, which theſe Parties do ſo ſtudiouſly avoid, would be faſten'd (as much as is poſſible) upon us, and that ſome poſſibly among both Parties, would enjoy themſelves very much in ſuch an Incident.

The *French* and *Swedes* anſwer'd us, that they muſt ſpeak the one with the other; and that we ſhould have their Anſwer, ſome Time this Day, but it will be too late to bring it into this Diſpatch.

That which we found to ſtick moſt with the *French*, were thoſe Words the *Dutch* had put in, *& ſes Alliez qui ſont en guerre contre nous*; they ſaid,

1*ſt*, This Addition is a Novelty, not known at *Munſter* or otherwhere.

2*dly*, These Words exclude the Biſhop of *Strasburgh* from coming into the Treaty.

3*dly*, If any of the Allies happen to change Sides, and to take Part with *France*, then there muſt be a new Power; this will not ſerve turn in that Caſe.

That which ſtuck moſt with the *Swedes* was, that their having of their King's Name *per Extenſum* in the *Daniſh* Powers, was oppoſed.

But the *French* and *Swedes* thought it hard to give five diſtinct Powers; and the rather, in that the firſt Thoughts of multiplying Powers ariſe from the Difficulty of mentioning the King and the Pope; but now, that they having all conſpired to level that Rub, and to content themſelves on all Sides with one and the ſame Form of Powers; the Reaſon of multiplying them ceaſed: But we are apt to think, the Allies will reply to this, that there was another Reaſon; which is, that where there are ſeveral diſtinct Treaties, there muſt be as many ſpecial Powers to bear them.

We muſt not forget to acquaint you, how that the *Dutch* Ambaſſadors yeſterday Morning gave us an Account of the Meſſage that they had charged themſelves withal, to deliver us from the *Brandenburghers*; it was, that the *Brandenburghers* thank'd us for the civil Meſſage we had ſent them; and that they did humbly acknowledge his Majeſty's great Goodneſs in the Orders we had had, not to be wanting towards them in any Part of our Function.

That they hoped this Difficulty would be ſuddenly over; and that as ſoon as his Majeſty ſhould be informed of what the *Imperial*, *Spaniſh*, and *Daniſh* Ambaſſadors have done; We ourſelves, they hoped, ſhould have Orders to let them know the Difficulty was over; thus excuſing themſelves, as we humbly conceive, from making any Uſe of us in the mean Time. We are, *&c.*

Poſtſcript.

This Evening the *French* Ambaſſadors brought us their Reflexions upon the Powers that we had left laſt Night in their Hands; thoſe of the

the *Dutch* they agreed to, theſe Words *Ceux qui ſont contre nous en guerre* only excepted, which they will have left out by all Means, for the Reaſons given you in this Day's Letter; inſtead of them, they are content to admit the Word *adherents*, and ſo it will run *avec les Ambaſſadeurs de ſa Majeſté Trés-Chrêtienne, & ſes Alliez & adherents.*

THE *Daniſh* Powers they are not ſatisfied with, becauſe the Preamble is the ſame, and not conform either to the *Latin* or *French* Project, as it is agreed by all the Allies: This they deſired us to repreſent to the Allies, and to make our Inſtances anew for Paſſports to the Biſhop of *Strasburgh*, as alſo to let the Allies know, that they take Part in the Diſſatisfaction which the *Swedes* have, in the laſt Conceſſion of the King of *Denmark* to Sir *John Paul*, in the Paſſage of their Letters; praying us to be earneſt for a further Liberty in that Point. We expect the *Swedes* here every Moment, but we fear the Poſt will be gone before they leave us.

WE have juſt Time enough to add, that the *Swedes* inſiſt much to have their Maſter's Titles *per Extenſum*, not as a Matter of Neceſſity, but of Civility, it having been ſo at *Munſter*, and there being nothing in their Maſter's Titles that is pretended to, much leſs diſputed by any other Prince; for they ſay the Ceſſion that was made of *Schoonen* and other Conqueſts, was abſolute and perpetual; they would have the Words *una Belligerantium* into *adhærentium*; and they inſiſt peremptorily, as the *French* did, that M. *Heugh*'s Powers ſhould be the ſame exactly with the Model that all the Parties have accepted and conformed to. They have declared again, their Diſſatisfaction with the King of *Denmark*'s Conceſſion about their Letters, and deſired his Majeſty's Interceſſion to preſs the King of *Denmark* for a more open Paſſage.

J. Berkley.
L. Jenkins.

Nimeguen, 15th Jan. 1676-7.

Right Honourable SIR,

SINCE our laſt, which was of the *11th*, we have none from you to acknowledge.

IN that Diſpatch, we gave you an Account what Exception the *French* and the *Swedes* took to the *Dutch* and *Daniſh* Powers, as they had been minuted and given to us to hand them over.

THE ſame Evening we conveyed thoſe Exceptions to the *Daniſh* and *Dutch* Ambaſſadors, together with the Reaſons that had been furniſh'd us to juſtifie them: Tho' the *Daniſh* Ambaſſador and the *Dutch* did debate the Point by Way of Diſcourſe, yet for a final Anſwer they referr'd to what ſhould be agreed on at a common Meeting of the Allies, which was had next Day, being *Friday*.

LATE that Night Meſſieurs *Heugh*, *Beverning*, and *Haren*, told us by Way of Anſwer, they and their Allies had reſolved, rather than to break upon Words, that they would no further inſiſt that the Words *qui ſont contre nous en guerre* (which the *French* had excepted againſt) ſhould ſtand in the common Project, being content it ſhould be ſaid, *pour traitter avec les Ambaſſadeurs du Roy Tres Chrêtienne, & ſez Alliez*, without thoſe Words; yet they yielded upon Condition the Word *adherents* (which the *French* deſired) ſhould be waved likewiſe; ſo

ſo in the *Latin* Project, the Words *una Belligerantium* to be left out, and the Word *adhærentium* not to be ſtood upon.

In the next Place, M. *Heugh* declared himſelf content to reform his *Plenipouvoir*, ſo as it ſhould agree Word for Word with the common Form in *Latin*, which all the Parties that intend to uſe *Latin* had agreed to.

Another Thing which the *Swedes* had ſtood on principally, theſe three Ambaſſadors enlarged upon; it was about the Extenſion of Titles. The Reſolution of the Allies was, that the *Swedes* (for Inſtance) may have the Title of their King extended as themſelves ſhall deſire, in the Front of that *Plenipouvoir* he ſhall give his Ambaſſadors, and ſhall be obliged, in the Body of that Power, to ſay no more but *ad tractandum cum Legatis Regis Daniæ:* The *Daniſh* Power to be juſt ſo, with what Extenſion that Court ſhall pleaſe to make in the Front, but in the Text there is no more to be but *ad tractandum cum Legatis Regis Sueciæ*; and in this Caſe an Act of the Mediators for *Salvo*, ſo that what either Prince ſhall aſſume or omit ſhall be of no Conſequence.

The laſt Thing they anſwer'd to, was about the Paſſage of the *Swediſh* Letters; here the *Dutch* Ambaſſadors took upon them to ſpeak:

Firſt, That they and the reſt of the Allies did find, that they could not in Reaſon preſs their Ally the *Dane*, to enlarge the Conceſſions already made, for the Paſſage of the *Swediſh* Letters, for that neither *Spain*, nor any other of the Allies, had any Advantage given them equivalent to that which the *Swedes* did ask.

2 *dly*, If the going of a Courier every 15 Days from *Bruxells* to *Spain* were reckon'd on, they ſaid, that was a particular Agreement between the General Poſtmaſters, which they thought might be revoked at Pleaſure, the Kings of *France* and *Spain* having not made it in Contemplation of the War.

3 *dly*, As to the Offer of a Liberty for Couriers upon the *Rhine*, and through *Switzerland* into *Spain*, they (the *Dutch*) ſaid it was an intolerable *Detour*, and thought the Offer of the *Daniſh* ſafe Conduct to paſs by Sea either from *Holland* to *Gottenburg*, or from *Lubeck* to *Calmar*, was a ſufficient Anſwer upon that Offer.

As for Paſſports to the Biſhop of *Strasburgh*'s Miniſters, the *Dutch* Ambaſſadors ſaid, they thought their Maſters had already furniſhed them; if not, it ſhould be done with the firſt Convenience; when that were done, they thought there would be no Pretence to preſs them to intercede with the Emperor, and other their Allies, for Paſſports for that Prince; but that Applications ſhould be made to the Miniſters in Town.

Being charged with this Anſwer from the Allies, we acquainted the *French* with it on *Saturday* in the Morning, and the *Swedes* in the Afternoon: The *Swedes* did return no poſitive Anſwer in the Conference we had with them, but reſerved themſelves to ſpeak firſt with their Allies; only they were very inquiſitive to know, whether the Reſolution about extending of Titles, was given in the Name of all the Allies, or elſe of the *Daniſh* Ambaſſador only? We told them, we had underſtood the Diſcourſe of Meſſieurs *Heugh*, *Beverning*, and *Haren*, the Night before, to have been in the Name of all the Allies; to which they replied, that then the Difficulties would be the greater.

Upon the Account we gave to the *French* of theſe Reſolutions, they received the News that the *Dutch* had yielded to their Demands with Joy; and for M. *Heugh*, they had no Difference with him, but about the Word *Chriſtianiſſimus*, which they thought to be an Epithet ſuffi-

ſufficiently known to belong to their King, and conſequently to be inſerted into his Power.

HERE we ſhould take Leave to obſerve, that tho' we had not theſe Reſolutions imparted to us before ſeven on *Friday* Night, and tho' we communicated them to the *French* at the uſual Hour of Audience on *Saturday* Morning; yet we have Reaſon to think they had been imparted to them before: For all the while that the Conference had been on *Friday* in the Afternoon at the *Dutch* Ambaſſadors, M. *d' Eſtrades* was in the Houſe, (but at Cards with the Ladies) where he continued a long while after that the Reſolution had been communicated to us; ſo M. *d'Avaux* was after the Allies were broke up; which we do the rather take Leave to note, becauſe that the *Dutch* Ambaſſadors, in a Converſation we had with them on *Saturday*, wherein we let them know, how their Affairs ſtood adjuſted with the *French* as to the *Powoirs*, did profeſs, now that the Preliminaries were over, they would enter into a freer Communication with the *French* by Viſits and Interviews, in Hopes, they ſaid, by ſuch Communications, to conquer Difficulties that would require Time, if all Things were paſs'd through the Forms; and that they would take to themſelves this Liberty, now they were entring into Matter, which we leave you to judge of; but we, for our Parts, comparing the Intelligence that is already in a Manner eſtabliſhed between them, with this further Deſign, cannot but think it is the opening of a Door to balk the Mediators, and to come to a perfect Underſtanding the one with the other, to govern themſelves here, where poſſibly little will be done, beſide the ſalving of Appearances, according as they ſhall find the ſeparate Peace to go on at *Paris*, or at the *Hague*.

YOU may pleaſe to remember, SIR, how that in our laſt Letter we told you of a Hint we had given the Allies, about coming to a certain Place of Publick Conferences; in this Converſation, the *Dutch* Ambaſſadors told us, they and their Allies had reſolved to chooſe out one Room in the Stadthouſe, and to have a Meeting of all there twice in a Week; that the World might ſee how unanimous they are in their Deliberations; and yet how unanimous ſoever they pretend to be, all the Steps that have been lately made to accommodate the Difficulties of the Powers, have been made by the great Earneſtneſs that M. *Beverning* had uſed among them.

LAST Night the *Swediſh* Ambaſſadors gave us their Reſolution, having firſt conſulted the *French*; that they acquieſce in leaving out the Word *adhærentium*, as well as *una Belligerantium*. For the Extenſion of Titles, they reſolved to do as they ſhould be done by; and therefore deſired to be informed by us, whether the Emperor, *Spaniard*, and *Brandenburgher*, give their Maſter the King of *Sweden* his Title *per Extenſum*, or his *titres Royaux* only, that they might return them the ſame Meaſures in their Powers; yet with this Reſerve, that if any King ſhould aſſume any Titles that he was not uſed to before the War, they would not treat with him; this relating, as we humbly conceive, to ſome Title that the King of *Denmark* may aſſume upon his new Acquiſitions.

THEY added, they would undertake to procure Powers, and exhibit them here, within two Months, but not to commence from the Date of the Act obligatory, (as others do charge themſelves) but from the Time that their Couriers ſhall have free Paſſage into *Sweden*. They propoſed a new Way for their Couriers, which they ſhewed us in the Map; in which Courſe, they ſay, they will not have above ten Leagues to paſs

in the King of *Denmark*'s Territories; and in thoſe ten Leagues, there will be no approaching any fortified Town of the *Danes*.

The laſt Thing they told us was, that they for their Parts would be content to come up to the Number of five ſeveral Powers; but they found the *French* (from whom they muſt in no caſe ſeparate) reſolved to furniſh but four in all; that is, to the Emperor, the King of *Spain*, *Denmark*, and to theſe States, but not to the *Brandenburghers*, unleſs the Allies would enable the Mediators to give an Act, that no more Powers ſhould be asked from them for any Prince whatſoever, in the Name and at the Inſtance of the Alliance.

I Mr. *Hyde* having had Communication of all the Particulars above accounted of, from my Collegues, juſt as they were tranſacted, do take Leave to ſign this Letter, tho' I have not yet aſſiſted at any Conferences with the Parties.

'Tis true, my Collegues were inclined to adviſe me to enter into all the Buſineſs they went upon, without notifying my Arrival, or receiving or giving any Viſit of Ceremony; but they having founded the *French* on the one Side, and the *Dutch* on the other, in order to diſcover how ſuch a Way of entering upon the Mediation would be taken, were of Opinion, (as I was upon the whole Matter) that I could not well do otherwiſe than paſs thro' the Forms, tho' we do foreſee it will hardly be without ſome Embarraſs.

As we are writing, we have the Favour of yours of the 5*th* before us, and ſhall take all Occaſions we can think ſeaſonable, to inſinuate to ſuch of the Allies as it ſhall be proper to do it to, how ſincere, diſintereſted, and zealous his Majeſty is, in the Work of the General Mediation; and that if any ſeparate Negotiation be carried on, it is wholly without his Knowledge; relying upon the Favour of your Directions, how we ſhall be able to ſerve his Majeſty upon the Appearances that now lie before you of a ſeparate Treaty.

The Envoy of *Newburgh* told us this Day, that he doubted not but that the Emperor would make the like Conceſſions in Favour of his Maſter, and the Princes, as he hath made to the Elector of *Brandenburgh*: He added, that the Miniſters of the Princes never did treat the *Electeraux* with *Excellencies*, not at *Munſter*, (where he hath been) nor any where elſe, and never will do it, whatever the Ambaſſadors of Crowned Heads may do, unleſs the Ambaſſadors of the Princes have the like Treatment from the *Electeraux*.

We muſt not forget to tell you, that on *Friday* the *Brandenburgh* Ambaſſadors ſent a Secretary to know of us, whether we had any Paſſports in our Hands for his Highneſs the Elector Palatine, withal deſiring Copies, if any ſuch we had. We gave M. *Somnitz* an Account, (by a Secretary of our own) we had none; and how the *French* had declared themſelves in ſuch Caſes of demanding Paſſports from their Maſter, which we mention, that you may pleaſe to take Notice of it, as the firſt Inſtance wherein thoſe Ambaſſadors have made any Uſe of us in the Way of our Function.

This Morning M. *d'Avaux*, in the Name of his Collegues, gave us their Reſolution touching the Number of Powers, as they had received it by yeſterday's Letters from Court; it was, that they offer'd one Power to treat with all, ſince that the Form that is now agreed will bear it. If one would not ſerve, they offer two, that is, one for each Religion; if that would not do, they offer four, that is, for the Emperor, for *Spain*, for *Denmark*, and the States. The fifth for the Elector of *Brandenburgh* they cannot grant, becauſe of the Conſe-

quence

quence it will induce, to iſſue out ſingle Powers to treat with every other Elector, and with every Prince that is in this War. Therefore they deſired us to let the Allies know, that four Powers they would give, and no more; and if they would not be content with this, that we would acquaint them the *French* with their Anſwer.

Of this Reſolution of the *French*, as well as of that of the *Swedes* laſt Night, we gave an Account to the *Dutch* Ambaſſadors, they deſiring it from us before this Day's Extraordinary went off.

They ſeemed to be apprehenſive, that this denying of a ſpecial Power for the *Brandenburghers*, would break all other Meaſures; and ſaid, they thought it impoſſible to bring their Allies to conſent, that the Mediators ſhould declare, in their Names, that they would inſiſt for no more; they named eſpecially the Duke of *Lorain*, that if he inſiſt upon it, they muſt procure for him an equal Liberty with themſelves to treat.

This Morning they have been at the Stadt-houſe with their Allies to view it; what they have reſolved there, we do not yet know, but we do ſomewhat wonder, that they have not at leaſtwiſe made ſome Kind of Offer to take us along with them, to conſider of Conveniencies for ourſelves, and for their adverſe Party. We are ever, *&c.*

J. Berkley.
L. Hyde.
L. Jenkins.

Nimeguen, 18*th Jan.* 1676-7.

Right Honourable Sir,

SINCE our laſt, which was of the 15*th*, we have the Favour of yours of the *9th*, and therein your Directions for our Government with Count *Kinski*, for which we moſt humbly thank you.

That Count remain'd *incognito* till yeſterday, then he notified all, the *French* Ambaſſadors and us excepted; he did not notifie us, becauſe of the Inſinuations we had given him, that we could not depart from the Style of one ſingle Viſit, that common Uſage had eſtabliſhed in this Place: For we have let him underſtand, that all that we expected from him, and all that we were allowed to do towards him, had been fully ſatisfied in the firſt Interviews we had had with him. So that we hope we are well with him for our Parts, he being pleaſed to ſay, that he would leave the Mediators to their Liberty, tho' he intended a ſecond Notification, and propoſed to himſelf a ſecond Viſit from us, notwithſtanding what had paſſed between him and us, upon his Arrival.

He was once very near an Accommodation with the *French*, the *Swedes* having helped us to perſwade them, that what had paſſed between them and Count *Kinski*, and the *Daniſh* Ambaſſador, which offended them, the *French*, was to be reputed nothing but Meſſages and Interviews *en ami*, and between Allies, for their common Concerns.

But the *Daniſh* Ambaſſador having in ſeveral Converſations ſince treated the Matter otherwiſe, and given out, that he thought the Ceremonies between him and Count *Kinski* were already over, and that the ſecond Notification and Viſit were more than needed; the *French* became extreamly alarm'd at it, ſaying, it was now too late for them to receive the firſt Notification, (a fortnight after M. *Heugh*'s) and to

give and receive Viſits, unleſs they might have a Declaration in Writing from the Mediators, (ſuch as Count *Kinski* ſhould be privy to and allow of) that what had paſſed between him and the *Daniſh* Ambaſſador, was neither Notification nor Viſit of Ceremony.

COUNT *Kinski* being not willing to come to their preciſe Words, for Fear of any Precedent, or Conſequence that might be drawn from ſuch a Declaration of the Mediators, and the *French* being reſolved to get wherewithal to confute what M. *Heugh* had given out, in caſe it ſhould reach, and be made an Argument againſt them from their Court; they ſtood each off ſtiffly upon their Terms, and ſo Count *Kinski* hath paſſed them by in thoſe Notifications he has made to the *Dane* and *Swedes*, the *Brandenburghers* and the *Hollanders*, (*Don Pedro Ronquillo* being yet *incognito*) from whom he hath received the ſeveral Viſits yeſterday, the *Hollanders* excepted; now there are no Hopes that the *French* and he will ever viſit one the other.

As to our Difficulty with the *Brandenburghers*, it lies ſtill as it did, only they ſeem to decline ſeeking to us in our Function ſomewhat induſtriouſly; for on *Monday* they imployed the *Daniſh* Ambaſſador to tell us, in what Style they pretend the *Swedes* ſhould treat their Maſter in their Power.

As to the common Project, it ſtands now all agreed, and we having been pray'd by all the Parties, (at leaſtwiſe that appear) to add thoſe Clauſes that were deſired by all to the obligatory Act, and we being concern'd not to take upon us the having drawn up the *Plenipouvoir* as now it is, we gave them in yeſterday, that is, to the *French* and *Swedes*, the *Dane* and the *Dutch*, each of them Copies of the Act obligatory, as it goes herewith incloſed.

Monday, after the Poſt was gone, we acquainted the *Dutch* with the *Swedes* new Propoſition about their Couriers, which being given us ſince in Writing by M. *d'Olivenkrantz*, goes here incloſed.

WE acquainted them alſo with the Temperament that the *Swedes* did judge would bring the *French* to give a ſpecial Power to treat with the Elector of *Brandenburgh*; it was, that the Mediators might be enabled to give a Declaration, that they, the *French*, furniſhing Powers to treat with the Elector of *Brandenburgh*, ſhould no more be importuned by the Allies to furniſh ſpecial Powers to treat with the other Electors, or the Princes of *Germany* that are in this War.

THIS the *Dutch* told us, the Allies would never be brought to.

THE ſame Account we gave that Night to the *Dane*; and his Anſwer was, he had no Power to conſent to the Way the *Swedes* had propoſed for their Couriers; and being preſſed to conſider the Neceſſity the *Swedes* would be put to, to ſend an Expreſs to get them Powers, according to the new Form, all he could promiſe was, to charge himſelf with that Pacquet only, and to ſend it to his Court, with a Supplication that it might be ſent over with a Trumpet into *Schoonen:* But this the *Swedes* will not hearken to.

THE *Swedes* had perſwaded themſelves, that tho' the reſt of the Allies ſhould refuſe to inſert the King of *Sweden*'s Title into their Powers *per Extenſum*, yet that the *Brandenburgher* would not, for that their Maſter had given it ſo in the very Paſſports that theſe *Swediſh* Ambaſſadors have.

BUT M. *Heugh* had Commiſſion from them to tell us they could not do it: *Firſt*, For that the *Swedes* had not return'd them the *Reciproque* in their Paſſports. 2. For that the other Allies not extending thoſe Titles, they could not vary from them. 3. For that they are in Poſ-

Poſſeſſion of ſome Places of Conſequence now, that make a Part of the King of *Sweden*'s Titles, that they had not then, when they gave the *Swedes* theſe Paſſports.

THE *Brandenburgh* Ambaſſadors gave us, by M. *Heugh*, the Sight of an Original Letter of the preſent King of *Poland*, and two more of his two laſt Predeceſſors, King *Caſſimire*, and King *Michael*; in thoſe three Letters, theſe Kings had treated the Elector with *Serenitatis tuæ frater*, &c. and in the Superſcription, with *Sereniſſimo Principi*, without *Celſiſſimo:* This laſt Word, which the King of *Sweden* had added to *Sereniſſimo*, in his Paſſports to the *Brandenburgh* Ambaſſadors, having diſpleaſed the Elector their Maſter.

ON *Tueſday* in the Forenoon the *French*, and in the Afternoon the *Swediſh* Ambaſſadors, took their ſeveral Hours of us, to make their Complaints, that the *Dutch* Ambaſſadors and their Allies had poſſeſſed themſelves of the Stadthouſe, without acquainting the Mediators or them with it: That this was an abſolute Breach of the Neutrality; that they took upon them in doing this, to act as Soveraigns in the Place, which they would never be able to endure; that they could not think themſelves longer in any Degree of Safety here; and that their Maſter, if he ſhould conſult his own Dignity, muſt call them back from a Place, in which they are no longer in Safety; where the Allies, upon Pretence of the Intereſt the States General have, as Lords of this Place, *ſe veulent impetrer & s'impatroniſer d'un lieu qui avoit eſté deſtiné pour les Conferences publices:* theſe are their Words.

THE *Dutch*, when we acquainted them with this, ſlighted the Thing extreamly; and ſaid,

1*ſt*, THAT they and their Allies finding it inconvenient, becauſe of ſome Difficulties among themſelves, (principally brought in by Count *Kinski*) to aſſemble (as they had done) ſome time in the Houſe of one, ſome time in the Houſe of another Ally, had reſolved to get them a third Place to meet in.

2. THAT they caſt an Eye upon a couple of Chambers, that were near indeed to the Stadthouſe, being in a *Baſſe-Court* adjoining to it, but were no Part of the Stadthouſe, nor was at the Diſpoſition of the Magiſtrates.

3. THAT this *Baſſe-Court* that lead to theſe Chambers and the Stadthouſe, had different Entrances; that the Stadthouſe belong'd indeed to the Town, and was at the Diſpoſition of the Magiſtrates; but that theſe Chambers belong'd *aux Deputies de la Nobleſſe du quartier de Nimegue, & aux Deputies des Villes de Tiel & de Bommel*, and to no other.

4. THAT they had long ſince given over all Thoughts and Hopes of any General Aſſembly, upon the Averſion that the *French* Ambaſſadors had long ſince declared to the Mediators, of any ſuch Publick Meeting, and that M. *d'Avaux* had very lately confirmed to M. *de Haren*, in a particular Converſation.

5. HOWEVER, that all that the Allies had yet done, had been only to view that Room; and that they, (the *Dutch* Ambaſſadors) upon this Alarm, would hold their Hands, and labour to get the firſt Meeting, that was intended to be there this *Thurſday* in the Evening, to be put off to a further Day; either becauſe they would not be at Leiſure to meet there, or becauſe the Room could not be yet furniſhed, or ſome ſuch Colour.

THE ſame Evening we acquainted Meſſieurs *Colbert* and *d'Avaux* with this Account of the *Dutch* Ambaſſadors, (M. *d'Eſtrades* being not well) but

but we did not find that any Thing of this would ſatisfy M. *Colbert* eſpecially; for he would needs underſtand it a Violation of the Neutrality, and an Exerciſe of Soveraignty here, which ought not to be.

We found M. *d'Avaux* much more calm; but in the ſame Converſation, we found by him, that the Orders of the Moſt Chriſtian King were poſitive, that his Ambaſſadors ſhould not undertake to furniſh a ſpecial Power to treat with the *Brandenburgher*; which if ſo, all the Facilities that have been uſed on both Sides about the common Form of Powers, will come to nothing; for M. *Heugh* told us very plainly, that the *Brandenburghers* had expreſs Orders not to give in their Powers to treat with *France* or *Sweden*, till *France* or *Sweden* ſhould give in each of them a ſpecial Power to treat with them; and which added to the Difficulty, that he himſelf (M. *Heugh*) would not be at Liberty to treat at all, until the *Brandenburghers* were contented in this Point.

Upon which Declaration of M. *Heugh*'s, M. *Beverning* obſerved us yeſterday, that it was impoſſible for them, the *Dutch*, to treat, two of their principal Allies thus ſtanding out.

Yesterday, I (the Lord *Berkley*) going to the *French* and the *Dane*, to deliver and leave with them Copies of the Act obligatory; and I, Sir *Leoline Jenkins*, going upon the like Errand to the *Swedes* and the *Dutch*, found each Party upon the ſame Theam, and in the ſame Temper, as the Night before, about thoſe Rooms near the Stadthouſe.

The *French* would needs have them to be Part of the Stadthouſe; and the *Dutch* did as ſtiffly deny it; however, the *Dutch* Ambaſſadors, in a Viſit we made them in the Afternoon, ſhewed themſelves ſufficiently inclin'd to deſiſt from medling further in that Affair, and upon our Requeſt, they went abroad preſently to their Allies, to diſpoſe them to the ſame Temper.

Late laſt Night, *Don Pedro Ronquillo* came to my Houſe, Sir *Leoline Jenkins*, (tho' he be ſtill *incognito*) after he had deſired me to convey him a Letter by this Poſt into *England*, (which he ſaid was his Buſineſs to me) he fell into Diſcourſe about the Stadt-houſe, and ſeemed to be very much troubled at it; but ſaid, the Allies were reſolved to deſiſt from further medling in it; but the Reaſon they would give ſhould be no other, but that it was meerly out of Regard to the Mediators.

This Morning came to me, Sir *Leoline Jenkins*, an ancient Gentleman, that calls himſelf Councellor of the Elector of *Brandenburgh*, and accompanies the Embaſſy here; his Buſineſs was to tell me from M. *Somnitz*, that the *Brandenburgh* Envoy now in *England*, had in his laſt Letter given them leſs Hopes than in his former, that his Majeſty would pleaſe to comply with what the *Imperial*, *Spaniſh*, and *Daniſh* Ambaſſadors have done here, in Favour of the ſecond Ambaſſador, not differencing him from the firſt.

In the Cloſe of a long Diſcourſe of the Rights and the Reaſons of the Elector in this Point, he inſinuated to me, (pretending to do it of his own Head) that tho' M. *Somnitz* was extreamly ſenſible of the Readineſs we had declared ourſelves to be in, to do any Offices belonging to our Function, yet that his Orders were ſo preciſe, that he (this Gentleman) was afraid he was not at Liberty to receive us in thoſe Applications we might perhaps think of making to him in our Function, or to have any Communication with us, till our Orders were come to treat both the Ambaſſadors without Diſtinction.

This

THIS we believe is done, to prevent our coming to them, upon the Overture we made them, firſt by the *Dutch* Ambaſſadors, and then by M. *Heugh*, of the Readineſs his Majeſty had ordered us to be in, for their Service; which they are reſolved, it ſeems, not to accept of, unleſs they can withal gain their Point. This gave me Occaſion to acquaint this Gentleman with the Rule his Majeſty had ſet to himſelf in this Sort of Diſputes; which was, not to lead or make Deciſions; he conceiving it to be his Part, to hand the Arguments *pro* and *con* from the one Side to the other, and to bring all Parties, as much as lay in him, to be of the ſame Judgment, wherein he would find the more Difficulty with one of the Parties at leaſt, if he ſhould by Way of Advance declare his own.

JUST as we are cloſing, M. *Heugh* comes to acquaint us with two Things: The one, that the *Brandenburghers*, upon the Advice they have had this laſt Poſt from the Envoy of their Maſter in *England*, that his Majeſty is not like to give us Direction to give the ſame Treatment to both the Ambaſſadors, and therefore that they cannot accept of our Offices in any Kind, nor enter into any Commerce with us, till they have new Orders for it; he added, that they were reſolved, before this News came to them, to accept of the Offer we had made them by M. *Heugh*, and to make uſe of us in the Progreſs of the Treaty.

THE other Thing was, to let us know, that the Allies, however not juſtly blameable in the leaſt for what they had done, in the taking up the Room near the Stadthouſe, had reſolved to have that Deference for the Mediators, as not to aſſemble there this Day, as they had once intended; but they did it *par un égard particulier & tres Expres pour Meſſieurs les Mediateurs*, (thoſe were his Words) that they might have Time to compoſe this Buſineſs, and not at all in Conſideration of the Clamours made by the *French*. We are ever, *&c.*

J. Berkley.
L. Hyde.
L. Jenkins.

Nimeguen, 22th Jan. 1676-77.

Right Honourable SIR,

SINCE our laſt of the 18*th*, we have none of yours to acknowledge.

THE ſame Day, I Sir *William Temple* return'd hither; and in the Evening, we all met to conſider of thoſe two Difficulties then attending the Buſineſs here, whereof you received Account in our laſt Diſpatch. The firſt, concerning the Allies aſſembling themſelves in a publick Place adjoining to the Stadthouſe, upon which the *French* Ambaſſadors made ſo violent Reflexions, as to interpret it a Breach of the Neutrality here: The other, concerning the Difference happen'd between the Parties upon the Number of *Plenipouwoirs*, the Allies demanding *five*, and the *French* offering only *four*, and refuſing that for *Brandenburgh*.

UPON the firſt Point, we reſolved, as the only Expedient we could think of in the Caſe, to take this Occaſion of propoſing to all the Parties, the Uſe of ſome Place for publick Conferences, and to let them know, that we did it by his Majeſty's Command, and upon his Opinion, that it might conduce to the Facility and Expedition of the Buſineſs here; but at the ſame Time to let them know, that in Caſe any of the Parties make a Difficulty of conſenting to this Propoſition,

we

we deſired that, in the mean Time, they would at leaſt make uſe of ſome publick Place, for the particular Aſſemblies of the two ſeveral Alliances; and this, to the End, not only to ſave much Time and Pains to the Mediators, but withal to help us, in comprehending right the Sence and Intention of the ſeveral Parties, which it was difficult for us to do, when we received them, not only from ſeveral Perſons, but at different Times and Places.

By this Expedient, we pretended, that tho' Difficulties would be made upon the Uſe of the general Aſſemblies, yet the Parties would not refuſe that of particular ones, propoſed to them with thoſe Circumſtances; that in this Caſe, the *French* would have no Exception left againſt the Aſſemblies of the Allies, ſince it would now be grounded upon a Propoſition of the Mediators; but if any Difficulty ſhould be made upon it, we hoped the Allies would at leaſt defer their Aſſemblies in that publick Place, 'till the Thing were determin'd.

On *Friday*, we propoſed it both to the *French* and to the *Dutch*; and finding both make Difficulties about the Uſe of general Aſſemblies, we offer'd that of particular ones, and that they might be made in the ſame Room of the Stadthouſe; the *French* and *Swedes* to uſe it in the Morning, as is accuſtomed by them in their Meetings now at their ſeveral Houſes; and the Allies in the Afternoon, as hath been hitherto accuſtomed by them in all their Aſſemblies.

The *French* fell in with this Expedient, and the *Dutch* alſo, with a little Change; for M. *Beverning* ſaid, there would be a Difficulty in the uſe of the ſame Room, becauſe the Allies might interpret, the *French* had the Preference by uſing it in the Morning; beſides that, M. *Sömnitz* could not poſſibly make Uſe of a Room above Stairs, as that in the Stadthouſe is, by Reaſon of his great Age and Infirmities, whereupon we propoſed to him, that the Allies ſhould have their Aſſemblies in the ſame Room they had before uſed; and the *French* and *Swedes* in ſuch Rooms of the Stadthouſe as they ſhould find moſt convenient for them; and this having been ſince offer'd by us to the *French*, the *Swedes*, and the *Dane*, has been perfectly conſented to by them; and we hope thereby to have drawn good out of ill, by bringing the Congreſs into more Form, and in making our ſeveral Conferences, both with more Expedition and Advantage to the Courſe of this Negotiation.

In the Conference we had with the *Dutch* Ambaſſadors on *Friday*, we endeavour'd to know, whether, in Caſe we could diſpoſe the *French* Ambaſſadors to procure Powers for the Duke of *Brandenburgh*, as well as the other *four*; they the *Dutch* would aſſure them, that it ſhould not draw into Conſequence, for any other Electors and Princes their Allies. Monſieur *Beverning* anſwer'd, they could not hinder their Allies from demanding them, but that upon the Grant of thoſe for *Brandenburgh*, they would enter immediately into Matter, and that no Difficulties, which might afterwards happen upon the Demands of ſpecial Powers for other Allies, ſhould hinder them the *Dutch* from going on with the Treaty, or from concluding it, if no other Difficulty remained.

This we propoſed on *Saturday* to the *French* Ambaſſadors, who were not ſatisfied with it, but ſaid, their Orders were poſitive, not to conſent to the *Brandenburgh* Powers without Aſſurance from the Allies, that no Inſtances ſhould be made for ſpecial Powers to any other Princes in the Alliance, but that all the reſt ſhould be comprehended under the Name of Allies to the Emperor, *Spain*, or the States.

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THE ſame Evening we gave this Account to the *Dutch* Ambaſſadors, who ſtill inſiſted upon what they had offer'd the Night before; and ſaid, they could not undertake for their Allies, but that they believed no other Powers would be inſiſted on, ſince the Emperor was unwilling any ſpecial Powers ſhould be demanded for the Duke of *Brandenburgh*, being deſirous that all the Electors and Princes of the Empire ſhould be comprehended as his Allies in one and the ſame Powers: But that they (the *Dutch*) were willing to ſeparate him in this Point from the Emperor, by procuring him a diſtinct Power, which they conceived he had more Right to than any other *German* Prince, by being a Principal in the War with *Sweden*.

WE told them the *Dutch* Ambaſſadors, how poſitive we had left the *French* in this Point; upon which M. *Beverning* in ſome Heat ſaid, that the *French* Ambaſſadors had ſent him Word by a Perſon of Quality, that they would conſent to the *Brandenburgh* Powers, in caſe he, M. *Beverning* alone, would give his own Word, that notwithſtanding any Inſtances to be made hereafter for ſpecial Powers by other Allies, the States his Maſters would go on with the Treaty: We ſaid it was ſtrange the *French* ſhould have offer'd him more by another Perſon, than they would do by us the Mediators, and thereupon we doubted there might have been ſome Miſtake in the Thing. M. *Beverning* reply'd ſtill in Heat, that the Perſon was one he could rely upon, and had ſaid it to him more than once; and ſince the *French* Ambaſſadors made now a Difficulty upon it, we might tell them ſo; and that they knew very well by what Perſon they had ſent him that Meſſage.

ON *Sunday* we gave this Account to the *French* Ambaſſadors, but with all the Coldneſs that could be, as to what concern'd the Overture M. *Beverning* pretended to have received from them by another Hand; yet we obſerved M. *d'Eſtrades* and *d'Avaux* to hold down their Heads when we mentioned it; but M. *Colbert* anſwered, that they had made no ſuch Offer by any other Hands, and had only deſired the *Swediſh* Ambaſſador to make that Overture to the Mediators; and ſo paſſing it over, he came with ſome Circumſtance to agree to the Thing, and ſaid upon it, that all the Preliminaries being now agreed upon, they deſired the Acts neceſſary might be ready as ſoon as they could, and that for their Parts they were ready to ſign them to Morrow.

WE thereupon offer'd them the Act we had drawn up of *Salvo*, for the Uſe or Omiſſion of any Titles in the ſeveral Powers, which they ſaid they would communicate to Morrow with their Allies, and give us their Anſwer in the Afternoon.

UPON *Sunday*, before we went to the *French* Ambaſſadors, Count *Kinski* ſent us his Powers, with a Meſſage, that having himſelf made no Reflexions upon the *French* Powers, he hoped they would make none upon his; but that they ſhould both refer themſelves to the new Powers, which they were to procure in the Form agreed on.

WE communicated his Powers to the *French*, in the laſt mentioned Conference, who, upon reading them, found Fault with the Words *Dux Burgundiæ* among the Titles, ſaying, it had no Pretence either of Right or Poſſeſſion. They likewiſe excepted againſt the diſpoſitive Part as abſolutely defective, there being no Power to conclude a Peace, but only to treat and agree upon the Means and Terms on which the Peace may be made.

WE told them their firſt Exception was taken away by the Act of *Salvo* which we had offer'd them; and for the other, ſince none of the Parties were likely to continue the Treaty, otherwiſe than in virtue of

the new Powers, and theſe of Count *Kinski* impower'd him in the mean time to treat and agree upon the Terms of a Peace; we thought the Matter was too nice to delay the Progreſs of the Treaty, and hereupon we at length prevail'd with them to make no Reflexions upon Count *Kinski*'s Powers, but to refer all to the new Acts and Forms agreed upon in this Caſe.

SINCE our laſt, I Mr. *Hyde* have received the Viſits of all the ſeveral Ambaſſadors here in Town, except thoſe of *Brandenburgh*, whom I did not notifie, upon the Intimation they had given of making no further Uſe of us, till the Diſpute about the ſecond Ambaſſador's Treatment be determin'd; and hope to return them all this Day, or to Morrow, after which I ſhall enter into the Conferences with the reſt of my Collegues.

ON *Thurſday* Night Count *Kinski* ſent to notifie his Arrival to me Sir *William Temple*, upon which I made him my Viſit of Ceremony next Day; taking it for a Point decided, that an Ambaſſador reſident in any Place, tho' abſent upon any Occaſion, yet at his Return makes the firſt Viſit to an Ambaſſador whom he finds newly arrived: I received Complements from all the other Ambaſſadors, who deſired Hours to viſit me upon my Return; but I excuſed it to them all, upon the Poſſibility of many ſuch Starts I might be forced to make, which I thought would paſs better without drawing into any Conſequences of Ceremony between us.

SINCE the writing thus far, we went this Day to Count *Kinski*, to communicate the *French* Original Powers, and at the ſame Time to acquaint him with the Conſent of the *French* Ambaſſadors, that no Reflexion ſhould be made on either Side upon the preſent Powers, but all referr'd to the new ones: To make our Propoſition concerning the general and particular Aſſemblies, ſo as to end that Matter: To give him likewiſe Notice of the *French* conſenting to the Powers for the Duke of *Brandenburgh*.

TO the laſt he only ſaid, that it was a Matter he had not yet at all meddled in, and ſo had nothing to ſay upon it. Upon the 2*d*, he complain'd of the *French* making Noiſe in a Matter that had given them ſo little Occaſion for it; which he ſaid they would be encouraged in, if they found Protection from the Mediators. Upon the 1*ſt* he ſhewed more Diſſatisfaction, becauſe we had communicated his Powers to the *French* Ambaſſadors yeſterday, before our Communication of theirs to him. We told him the Reaſons of it; which were, 1*ſt*, That upon ſending to him yeſterday, we had not found him within; and the other much more material, which was, that he having ſent us a Meſſage at the ſame Time with his Powers, that he deſired no Reflexions might be made on either Side, and we finding his Powers liable to an Exception in the very diſpoſitive, thought it neceſſary to know firſt of the *French* Ambaſſadors, whether they were content with what Count *Kinski* had propoſed. Beſides, we told him, that ſince we knew there was no Competition between the Emperor and the Moſt Chriſtian King, we had thought we were not tied to ſo nice Conſiderations of every ſuch Circumſtance, but were left at Liberty to make our Paces in ſuch Orders, as we thought moſt conduced to the Progreſs of the Affair. He anſwered us in an *Italian* Proverb, that *a Thing done was beſt untouched*; and ſo we left him, without much Shew of being either ill ſatisfied in the Thing, or well with our Excuſes.

FROM Count *Kinski*, we went to the *Dutch* Ambaſſadors, to give them the ſame Account of thoſe Particulars we had communicated to Count

Count *Kinski*; they expreſſed the greateſt Satisfaction that could be upon the End of thoſe three Difficulties, which they ſaid they had not expected, and therefore had prevailed with their Allies to defer their Aſſembly this Day. They ſaid, they ſhould be ready to ſign the ſeveral Acts to Morrow, and within three Days after to put in their Pretenſions. We left them with the Aſſurance, that when we received Notice from both Sides that they were ready, the Acts ſhould be prepared, and we ſhould agree upon the Time of ſigning them. We are, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 25th Jan. 1676-7.

Right Honourable Sir,

In our laſt (which was of the 22*th* paſt, ſince which we have not any of yours to acknowledge) we gave you an Account how both Alliances were like to accommodate themſelves apart with Rooms for Conferences between themſelves without further Delay, but not for Publick Conferences between the one Alliance and the other, which was our firſt Propoſition, and that grounded upon his Majeſty's Inſtructions to us.

On *Monday* in the Afternoon, as ſoon as our Diſpatch was over, the *Swedes* firſt, and then the *French*, deſired we would aſſign them Chambers (for each of theſe Allies one) in the Stadthouſe. We promiſed them all the Aſſiſtance we could give, but deſired them to pleaſe themſelves; telling them, we ſhould be ſure to aſſign them the Rooms they ſhould make Choice of: In Order to this, they viewed the Stadthouſe on *Tueſday* Morning, the *French* at nine, and the *Swedes* at eleven, we having beſpoke the two Regent Burgo-Maſters to prepare the ſeveral Rooms for their viewing, and to attend the Ambaſſadors when they ſhould come.

The Views were made at the Hours appointed, and the Burgo-Maſters attended, but we have not yet any Account of the Reſolution they may have taken together after the View, they having told us, when they deſired us to aſſign them Chambers, they would firſt confer among themſelves, and then deſire us to aſſign them what we ſhould think convenient, the Mediators being firſt provided for.

We expected that our having had Conferences both with the *French* and *Swedes* yeſterday, they might have diſcover'd to us their Thoughts upon this Subject, but they did not: Nor are we ſure but that Emulation which lies deep between them, as we have Reaſon to believe, may have intervened upon this Occaſion.

The *Dutch* and their Allies having foreborn to meet on *Thurſday* and *Monday* laſt, (which were the Days they had agreed) in thoſe Rooms we told you of in our former, adjoining near the Stadthouſe, met there yeſterday in the Afternoon, to take as it were Poſſeſſion of them, in virtue of our Propoſition and Aſſignment; they having foreborn to their great Inconvenience, they ſaid, to aſſemble there upon *Thurſday* and *Monday* laſt, which were the Days they had firſt ſet to themſelves, to the End they might not be thought to pretend to continue their firſt Poſſeſſion, and that they might give us more Time, if need were, to adjuſt that whole Matter.

In our former Letter, we told you likewiſe, how that the Number of the *Plenipouvoirs* was now agreed to be *five* ſpecial ones, the *French* contenting themſelves with what the *Dutch* had told us, of their Reſolution not to break off the Courſe of the Negotiation, tho' ſome of their Allies, that are not yet come upon the Place, (as *Lorain*, *Newburgh*, and *Lunenburgh*) ſhould be refuſed ſpecial Powers, ſuch as the five Allies now preſent have to treat upon.

The obligatory Act and the *Salvo*, that we were deſired to give in, are agreed, for ought hitherto appears, in the Form we gave them in, (the Copies of them go herewith incloſed) but the Titles in the Powers are not yet clear'd.

For the *Imperial* Ambaſſador offering to treat the Moſt Chriſtian King with the Title of *Rex Franciæ*, he would add in the Minute of the Power in a Parentheſis, theſe Words, [with his other Titles, according to the Style of the Chancery of *Vienna*] and the like to *Sweden*.

The *French* and *Swedes*, on the other Side, ſay, ſuch a Reference will have too much of Uncertainty in it, and offer to take the very Treatment that was in the Emperor's *Plenipouvoirs* at *Munſter*; but this Style of *Munſter* Count *Kinski* does not acquieſce in, upon Suppoſal that there is by Agreement ſome Alteration made in the Style of *Vienna* towards *France*, ſince that Peace was made; yet that Alteration he does not pretend to know, and that is the Reaſon he would inſert thoſe general Words, and leave the Chancery to put in lieu of them, *Sereniſſimo & fratri*, &c.

The *Dane* and the *Swede* make a Difficulty about the Language; for the *Dane* will not give his Power in *Latin*, unleſs the *French* do ſo to; if the *French* will needs give their Power in *French*, he will give his in *Daniſh*.

To this the *French* do anſwer, 1. That this is new and unuſual. 2. That the Communication between the Kings of *France* and *Denmark* have been otherwiſe, the Moſt Chriſtian Kings writing to the Kings of *Denmark* in *French*, and the Kings of *Denmark* writing in *Latin* to the Courts of *France*. 3. They offer this Matter to be regulated by Precedents, and will be content that the *Plenipouvoir* be in *Daniſh*, if in any two of the three laſt Treaties between *France* and *Denmark*, the Powers have been other than in *French* or in *Latin*.

The *Swedes* alſo pretend, that the *Spaniſh* Powers ſhould be in *Latin*, becauſe the King of *Spain* writes to their King in that Language; but *Don Pedro Ronquillo* expreſſed himſelf in a particular Converſation, that his Maſter's Power muſt be in *Spaniſh*; and if the *Swedes* muſt needs have theirs in *Swediſh*, he will not break with them.

Nor is it a ſmall Difficulty between the *French* and the *Brandenburghers*; for tho' thoſe will give the Moſt Chriſtian King his Titles in *Latin*, yet they demand that *France* ſhall give their Maſter the Stile of *Sereniſſime Electeur de Brandenburgh*, *Duc de Pruſſe*; which the *French* ſay they cannot do, *Sereniſſime* being a Word foreign to their Stile and Language, and Duke of *Pruſſia* being a Title they are not acquainted with; however, they offer to give the ſame Titles as their Maſter hath given that Elector in his Powers, for any two of the three laſt Treaties, that have been made between him and *France*.

Another Thing that offends the *French* and *Swedes* very much is, that the Allies have asked no leſs than three Months Time to bring in theſe new Powers, whereas the *Swedes*, who are the furtheſt off, are willing to charge themſelves to bring them in within two Months:

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They add, that the Ratification of the Peace at *Aix la Chapelle*, was to be procured from *Madrid* in 28 Days; but that allowing three Months, it would be near the Middle of *May* before the Parties would be in a Condition to conclude a Peace.

We ſpent the greateſt Part of the Day yeſterday, in endeavouring to reconcile theſe Niceties; but the Parties anſwering ſeparately, and moſt commonly with a Reſerve to their Allies, it will be very hard to reconcile them, unleſs they do put into our Hands the rude Draughts of the Powers, as each Party mean to ſtand by, and procure them; that ſo we may ſee what is wanting of the Reciproque, and what will make it up; or elſe aſſemble both Alliances in their ſeveral Apartments in and near the Stadthouſe, ſo as we may go between them, and put an End to this Buſineſs one Way or other before they part.

The *Brandenburghers* and *Don Pedro Ronquillo* have not yet produced their Original Powers, thereby to enable us to exchange them with the Parties, which muſt be done before they can come into the Expedient (as they promiſed to do) of uſing the ſame common Form with the reſt; but the main Difficulty that the *Brandenburghers* have, (for ought we perceive) ſeems to be, that they would not make Uſe of our Mediation in this Exchange.

Count *Kinski* has indeed communicated to us his Powers, (which how defective they are, you will quickly ſee by the Copy that goes herewith incloſed) and conſequently judge what need there was of our Offices, to diſpoſe the *French* into the Temperament of not raiſing Diſputes upon them, but rather expect new ones in the common Form. Yet he demurs going through with his Part, in taking Communication of theirs; for on *Monday* Night we carried him the *French* Powers in their Originals, with Copies to leave with him, atteſted under our Hands; he examined the Copies himſelf, tho' ourſelves being preſent did bear Witneſs (as it was under our Hands) that we had duly compared them: He viewed the Seals likewiſe very narrowly, and in one of the Copies there happening a Word or two to be miſtaken by the Writer, and for that Reaſon to have been blotted out, and the right Words interlined, he deſired us to get another Copy, written without any ſuch Blemiſh; and ſo excuſed himſelf from taking either that Copy (which was of M. *d' Eſtrades* Subſtitution), or the other Copy of M. *de Vitry*, *Colbert*, and *d' Avaux* Powers, which had no Errors in it; becauſe, he ſaid, the conſigning of thoſe two Copies into his Hands, muſt be done by one individual Act, thoſe two Powers being but one in Effect.

Yet theſe Copies were not, as we thought, of that great Moment, ſince the Powers themſelves, whereof they were Copies, were agreed of all Hands to be laid aſide; which we take Leave to obſerve, that you may pleaſe to take Notice of the rigid Exactneſs of this Ambaſſador; we not knowing how far it may carry him upon the Offence he has taken, that the *French* had had a Communication of his Powers, before he had had it of theirs, as we told you in our laſt; and that we perceived by the Diſcourſes of his Allies, we are not to think ourſelves wholly got off this Difficulty. We are ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

A ſon

A ſon Excellence M. le Count *de Kinski*,

Ambaſſadeur Extraordinaire & Plenipotentiaire pour ſa Majeſté Imperiale, aux Traité de Paix à *Nimegue*.

à Nimegue ce $\frac{26 \text{ Jan.}}{5 \text{ Feb.}}$ 1676-7.

MONSIEUR,

COMME l'affaire des Plenipouvoirs de toutes les Parties, nous paroît ſur le point d'Etré ajuſté, nous avons trouvé à propos de faire la Communication de nôtres, & voulu la Commencer par vôtre Excellence, comme Ambaſſadeur & Plenipotentiaire de ſa Majeſté Imperiale, & pour cela avons ordonne à nos Secretaires de les faire voir, & en laiſſer des Copies authentiques entre ſes maims. Et comme nous avons ſeu que V. E. à trouvé à redire à cauſe que nous avons faits ſur la Communication de ſes Pouvoirs à M. les Ambaſſadeurs de *France*, nous nous trouvons obligez d'aſſurer V. E. que nous n'avons la moindre intention de manquer au reſpect dû à ſon Caractére ne de porter le moindre prejudice au Rang de ſon Maître; mais qu'au contraire que cequi à eſté fait, à Eſté dans la Seule viſée de Pouvoir en même temps ſatisfaire à la propoſition que V. E. Nous avoit faite faire par la même perſonne & en même temps qu'elle nous à Envoyé ſes Pouvoirs, en obviant aux Reflexions que nous avions bien preveües, mais qùe nous avons auſſi prevenües par les offices, que nous avous faits ſur le Temperament propoſé par V. E. An reſte, MONSIEUR, ce ſera avec joye que nous Embraſſerons les occaſions pour faire voir l'Eſtimé & le Reſpect avec lequel. Nous ſommes, MONSIEUR, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 29th Jan. 1676-7.

Right Honourable SIR,

ON *Thurſday* Afternoon, upon the Cloſure of our laſt, the *French* Ambaſſadors came unto us, and put into our Hands the Acts obligatory, together with the Form of new Powers for the Emperor, the King of *Denmark*, the Elector of *Brandenburgh*, and the States, all ſign'd by them the *French* Ambaſſadors. They likewiſe left with us the Act of *Salvo* upon the Uſe or Omiſſion of Titles, to which they agreed without any Change: They told us, they were content we ſhould communicate theſe Papers to the Allies, and let Count *Kinski* know, that they had left the Blanks for their Maſter's Title in the obligatory Act, to be fill'd up according to the Forms uſual between the Emperor and the King their Maſter; which were, that if he inſerted the Emperor's Titles at large, they would do the ſame; if he uſed the Stile of *ſacra ſua Cæſarea Majeſtas*, they would uſe *ſacra ſua Regia Majeſtas Chriſtianiſſima*; and whereas in the diſpoſitive they named the Emperor with the Stile of *nôtre tres-cher & tres-amé frere l'Empereur des Romains*, they expected Count *Kinski* ſhould, in the ſame Part of his diſpoſitive, name the King their Maſter with the Stile of *Sereniſſimus ac Potentiſſimus Princeps Dominus Ludovicus* XIV. *Galliarum & Navarræ*

Navarræ Rex Chriſtianiſſimus, Frater & Conſanguineus noſter chariſſimus; according to what was uſed in the laſt Treaty of 1671, between the Emperor and *France*; an Extract whereof they left in our Hands.

In the Inſtruments for the King of *Denmark*, they had left the ſame Blanks for their Maſter's Stile, as they had done in that for the Emperor, and upon the ſame Reaſons in the obligatory Act, but treated the King of *Denmark* with *nôtre tres cher & amé frere le Roy de Denmark*, in the Diſpoſitive; in lieu whereof, they expected from *Denmark* the ſame Titles for their Maſter, as are given in the *Daniſh* Paſſports to them the *French* Ambaſſadors.

As to the Language, they inſiſted, that tho' theirs was in *French*, yet thoſe of *Denmark* ought to be in *Latin*, ſince this had ever been the Uſe between the two Crowns; and that they were confident, the *Daniſh* Ambaſſador propoſed that which the King his Maſter would never have done, in the Uſe of the *Daniſh* Language upon this Occaſion: However, if he could produce an Example of that having been practis'd between the two Crowns at any Time, they were content he ſhould now uſe the *Daniſh* Language, or the *Hebrew*, if he pleaſed.

In their Inſtruments for the States General, they ſaid, there was no Difficulty, and they ſuppoſed there could be none with the Elector of *Brandenburgh*, having given him the Stile of *tres cher & tres amé frere*.

The ſame Evening, the *Dutch* Ambaſſadors came likewiſe to us, and told us, that for the Expedition of this Affair, they had propoſed to their Allies, that there ſhould be a Meeting of the two ſeveral Alliances in the ſeveral Rooms deſign'd for them, where the Mediators, by going between them, might ſoon adjuſt all the Differences which ſhould occur upon the Inſtruments to be ſign'd; but that the *Brandenburgh* Ambaſſadors had declared, that their Orders would not ſuffer them to intervene at any Meeting with us, till we had allowed them the Treatment they pretended to be due to their ſecond Ambaſſador as well as their firſt; and thereupon the Allies agreed to put into our Hands, the Copies of the ſeveral Inſtruments they intended to ſign; deſiring us to conſider them all, and by comparing them with thoſe of the *French* and *Swedes*, to find out where any Differences were in them; and to endeavour to adjuſt them between the Parties, and not to communicate theſe Draughts of the Allies, till we ſhould be poſſeſſed of thoſe likewiſe from the *French* and *Swedes*.

They told us they had brought Inſtruments from *Don Pedro Ronquillo* and the *Brandenburgh* Ambaſſadors, as well as from the reſt of the Allies, tho' they knew there would be ſome Difficulty upon them, in Regard no Exchange had been yet made of their Powers, becauſe *Don Pedro* had not yet appeared in publick; and the *Brandenburgh* Ambaſſadors were hindred from treating, not only with the *French* and *Swedes*, but with us the Mediators too, upon the Diſputes concerning their ſecond Ambaſſador; that however they the *Dutch* had brought both *Don Pedro*'s and the *Brandenburgher*'s Original Powers with them, to ſhew them to us the Mediators, and hoped, that upon our ſeeing them, and finding thoſe Perſons ſufficiently authorized from their Maſter, we might think of ſome Expedient in that Matter. That they ſuppoſed, it would not be very difficult in what concerned *Don Pedro*, and that if he were willing to exchange his Powers, he might do it by our Hands, (ſince private Viſits had paſſed between us) tho' he ſhould ſtill reſolve to continue for ſome Time *incognito* here. But for what concerned the *Brandenburgh* Ambaſſadors, they were more in Pain,

Pain, and deſired us, if it were poſſible, to find out ſome Temperament in the Caſe; hereupon they made us a long Deduction of the Diſcourſes and Arguments uſed by the ſaid Amaſſadors to their Allies upon this Matter; wherein we obſerved nothing new, that concerned Matter of Fact; but ſome Things ſharper than we had Reaſon to expect. As, in the firſt Place, M. *Beverning* told us, that thoſe Ambaſſadors had ſaid, *que ſa Majeſteé leur avoit fait un tort & injure que leur Maitre ne pouvoit pas ſouffrir ne admettre.*

In the next Place, that his Majeſty refuſing the Treatment they pretended, had changed the Stile he had uſed towards their Maſter at his own Court in the Year 1660, and had now choſen rather to agree with *France* and *Sweden* in this Point, who were their Enemies, than with the Emperor, *Spain* and *Denmark*, which look'd like a Partiality in his Mediation; to this M. *Beverning* added, that he found ſome of the Allies ſo cloſely tyed with the Duke of *Brandenburgh*, that they had declared that they could not go on with the Treaty, but in Conjunction with him: He did not name them, but ſaid, his Maſters were not of the Number; however, he made it an Argument, to preſs us upon finding out ſome Expedient in that Matter.

We anſwer'd them, that as to the Inſtruments they put in our Hands, we ſhould not fail to uſe all our Diligence in comparing them with thoſe of the other Side, and endeavouring to adjuſt all Differences between them; that for what concerned *Don Pedro de Ronquillo*, if he reſolved to make an Exchange of his Powers, without firſt paſſing the Forms of publick Notifications and Viſits, we apprehended no great Difficulty in it, ſince Powers only conſtituted an Ambaſſador, who might, if he ſaw Reaſon for it, both treat and conclude without entering into the Forms of any ſolemn Viſits.

That for what concern'd the *Brandenburgher*'s Ambaſſadors, ſince there was a Diſpute between his Majeſty and their Maſter, upon a Caſe which the King had taken to be clear in the Fact, as to what had paſſed both at *Munſter*, *Noremberg*, and *Frankfort*; and wherein his Majeſty had received Information, not only from the Teſtimonies of the *French* and *Swediſh* Miniſters perſonally preſent at thoſe Aſſemblies, but likewiſe of the Miniſters of ſeveral *German* Princes, now Allies to the Duke of *Brandenburgh*; we conceived it ſomewhat inſolent in the *Brandenburgh* Ambaſſadors, to make themſelves Judges, where they were but Parties; and while the Thing was in Diſpute, to declare his Majeſty had done them an Injury they could not ſuffer; which were Expreſſions for a Prince, that rather intended to quarrel with his Majeſty, than to uſe his Mediation; that it was of the ſame Strain in them, to uſe ſuch an Argument as they did concerning his Majeſty's Partiality in this Matter. Whereas his Majeſty having firſt declared the Treatment he intended to the *Brandenburgh* Ambaſſadors, and which he thought conformable to the Practice of other Crown'd Heads in the forementioned Aſſemblies: If his Majeſty ſhould now change it, upon the Example of Princes among their Allies, who might be induced to it by Intereſt of their Alliance with the Duke of *Brandenburgh*, we appeal'd to the *Dutch* Ambaſſadors, whether this would not look more like Partiality in his Majeſty, than to continue his own Style, until the other Crown'd Heads were all agreed in this Matter.

That for an Expedient in the Caſe, being tyed up by Orders, we could think of none, beſides the Uſe of that Permiſſion has Majeſty had already given us, notwithſtanding theſe Diſputes, to decline no Offices of the Mediation, even towards the *Brandenburgh* Ambaſſadors

dors themſelves, ſo that in Caſe of the Reſolution to exchange their Powers, we ſhould make no Difficulty of going to perform that Office at their Houſe, without any Reflexion of what had hitherto paſs'd or been omitted between us. That for the reſt, we ſhould not fail to repreſent what had now paſs'd to Court, the Conſideration whereof, and of the Conſequences they intimated to us from other of their Allies, we muſt leave wholly to his Majeſty.

THE *Dutch* Ambaſſadors ſeemed themſelves ſatisfied with what we had offer'd, of performing all the Offices of the Mediation, notwithſtanding theſe Diſputes, and with our Promiſe of repreſenting the whole to Court, and M. *Beverning* diſavow'd theſe Words of *tort & injure*, as well as what touched the Partiality of his Majeſty's Mediation; ſaying, he was willing they ſhould be taken rather to have proceeded from his own ill Talent of expreſſing himſelf, than as Expreſſions uſed by the *Brandenburgh* Ambaſſadors, ſince his Deſign in this Converſation was rather to ſeek out ſome Expedient, than to ſharpen the Diſpute between us. He ſaid further, that the *Brandenburgh* Ambaſſadors would put their Caſe upon what had paſſed in the Treaty of *Munſter*; but he ſaid at laſt, the chief Streſs of his Arguments were upon his Majeſty's own Practice in the Year 1660; and ſaid, the Emperor and *Spain* had therein followed his Majeſty's Example.

WE reply'd, we were confident his Majeſty would give the ſame Treatment to the *Brandenburgh* Ambaſſadors, which ſhould be proved to have been given them by the Ambaſſadors of the Crown'd Heads at the Treaty of *Munſter*. As to what they argued from his Majeſty's own Practice in 1660, it was a Thing we knew nothing of, either from our own Remembrance, or from any of the King's Miniſters in Employment at that Time; tho' we confeſſed, we had met with it often in common Reports, and in Allegations of the Parties upon this Occaſion; that we ſhould repreſent it all to his Majeſty, and obſerve the Orders we received upon it.

AFTER this, they ſhewed us both the *Spaniſh* and *Brandenburgh* Powers; upon the laſt we found nothing to remark, but in the firſt, we obſerved the Style only of *Plenipotentiary* to be given *Don Pedro*, without that of *Ambaſſador*, and that he had uſed the ſame Style in his Draught of the new Powers, which the *Dutch* ſeemed not before to have reflected on. We made them ſenſible, how great an Embarraſs this would Occaſion in the Courſe of this Aſſembly, upon the Difference of Treatment which we ſuppoſed *Don Pedro* would expect, and other Ambaſſadors would think fit to give, upon this Stile in his Powers; and that both we the Mediators, and they the *Dutch*, and other Ambaſſadors of their Allies, might be put upon Difficulties in this Matter; and therefore we were of Opinion, neither for him to appear yet in publick, nor to offer the Exchange of his Powers; but ſince the Word *Plenipotentiary* gave him, as we conceived, ſufficient Power for any Acts of the Treaty, tho' perhaps not equal Pretenſion of Rank with the Stile of Ambaſſador, we promiſed our Endeavours to diſpoſe the *French* and *Swedes* to interchange theſe Inſtruments for procuring new Powers with the *Spaniſh* and *Brandenburgh* Miniſters, as well as the other Allies, upon our Aſſurance of having ſeen both their Powers, and found their Perſons ſufficiently authorized by them.

ON *Friday* Afternoon, the *Swediſh* Ambaſſadors came to us, and put their Inſtruments likewiſe into our Hands; that is, thoſe for the Emperor, the *Dane*, the *Dutch*, and the *Brandenburghers*; ſaying, the others for *Spain* were ready, but that they had not thought fit to

diſpatch them, in Regard no Exchange had been yet made of any Powers between them: They likewiſe gave us another Act, declaring againſt the Impoſſibility they ſhould be left in, of procuring new Powers within the Space of two Months, (which ſeems now to be agreed on all Sides) if they were not allowed the Liberty of diſpatching Couriers to their Court, upon this and other Occaſions, neceſſary in the Courſe of this Negotiation.

The ſame Evening the *Dutch* Ambaſſadors came likewiſe to us, and told us, that being ſenſible of the Difficulties we had the Night before repreſented to them, concerning the Stile of *Don Pedro de Ronquillo*, they had prevailed with him to exchange it, and to add that of Ambaſſador in the Form of his new Powers, tho' he had maintained the preſent Stile to be the ſame with what the Crown of *Spain* had uſed at the Treaty at *Munſter*, and upon which the ſame Treatment had been given them, as to Ambaſſadors.

M. *Beverning* took Occaſion at the ſame Time to ſay, that for the Difference of Language between *France* and *Denmark*, he knew the *French* might alledge the Examples of former Treaties, but the *Dane* referr'd himſelf to any Treaty between the Crowns when they were in War; which made a Difference in Stile from what was uſual in Time of Friendſhip between them; he ſaid beſides, that Cuſtoms of this Kind often changed in twenty or thirty Years Time; as for Example, that all Ambaſſadors of *England*, *Sweden*, and *Denmark*, coming to the States General, had, till of late Years, made their firſt Propoſitions in *Latin* or *French*, whereas they now did it in their own Languages; and that he himſelf remembred, when none of the *Northern* Crowns pretended any Competition with the three great Crowns of *Europe*, (naming his Majeſty, *France*, and *Spain*) and that theſe *Northern* Miniſters made formerly no Difficulty of ſigning after the others; whereas the Uſe was grown of late, that no King yielded to another.

We had no Anſwer to this Diſcourſe, which we ſuppoſed was intended to make Way for the *Daniſh* Ambaſſador's Pretence of uſing his own Language in his Powers, but only told M. *Beverning*, we were glad he had prevailed with *Don Pedro* to uſe the Stile of *Ambaſſador* in his Draught of new Powers, and hoped he would diſpoſe him likewiſe to remain ſtill *incognito*, till we could reſolve what Treatment to give him upon his Stile of *Plenipotentiary*. In the mean time, we deſire his Majeſty's poſitive Directions, what we ſhall do in that caſe, if *Don Pedro* ſhould produce himſelf before new Powers come; and the rather in this caſe, becauſe we are not at Liberty of obſerving our general Order, to adviſe with the *French* and *Swediſh* Ambaſſadors upon Points of Ceremony; ſince we ſhould thereby diſcover to them a Secret, which was communicated to us by M. *Beverning*, with the Condition of keeping it ſo, till *Don Pedro* ſhould reſolve whether he would procure his Powers or no.

On *Saturday*, upon Peruſal of the ſeveral Inſtruments left in our Hands by all the Parties, the greateſt Difficulties we could foreſee likely to ariſe, were, *firſt*, Upon Count *Kinski*'s referring himſelf in all Matters of Title, to the Stile of his Chancery, which will leave an Uncertainty in the new Powers. The *next*, upon the *Dane*'s ſeeming very reſolute to uſe his own Language, where the *French* uſe theirs. And the *laſt* was, the Difficulty of the *Swedes* to procure their new Powers within the limited Time, in caſe they have no free Paſſage for their Couriers.

UPON theſe Points, we have yeſterday and this Morning conferr'd with the *Imperial* and *French*, *Daniſh* and *Dutch* Miniſters, as we ſhall this Evening with the *Swedes*.

WE find the firſt Point like to be accommodated, by each Party leaving a Blank to be filled up with the Titles of his adverſe Party, according to the Stile of the reſpective Chanceries, and each Party being left at Liberty to uſe ſuch Stile as they think fit for their own Maſters.

FOR the laſt, we apprehend more Difficulty, ſince the *Dane* proteſts it is not in his Power to give a Paſſport ſo much as for one Courier, unleſs he goes by Sea from *Amſterdam* to *Gottenburgh*, or at leaſt from *Lubeck* to *Calmar*, but offers to charge himſelf with the Conveyance of the *Swediſh* Pacquet upon this Occaſion.

THE *Swedes* have, on the other Side, hitherto expreſſed themſelves not ſatisfied with any of thoſe Paſſages, nor with the Conveyance offer'd them either by the *Dane* or the *Dutch*, or even of us the Mediators; thinking it not for the Dignity of their Maſter, upon this Occaſion, to uſe any Couriers or Conveyances beſides their own. However, in this we may poſſibly ſee ſome Day how to paſs it over one Way or other. But for what lies between the *French* and the *Dane*, upon the Language to be uſed between them, the Difficulty ſeems to us invincible; the *French* will give their Powers in *French*, and no other Language, nor with any annex'd Tranſlation; they ground it upon the conſtant Practice between the two Crowns, and offer to change it however, if one Example can be given to the contrary, of their treating otherwiſe than in *French* with *Denmark*, or the *Dane* otherwiſe than in *Latin* with them, and alledge the Example of the Emperor's making no Difficulty in this Kind.

THE *Dane* ſays, he cannot determine what the Practice has been, but many Uſes of this Kind change with Time; that it is one Thing what is uſed between Princes in Peace, and another in War; that the Conſtitution of their Crown is altered of late Years, being render'd ſucceſſive; that he expects a Parity, let it be either by uſing each their own Language, with or without annex'd Tranſlations; or elſe a third Language, be it what it will; and at laſt, that he is bound up by ſuch poſitive Orders in this Point, as not to be able to fall into any other Temper.

UPON this the *French* have this Morning declared themſelves as poſitive on the other Side, and with ſome Heat, that they came not here to introduce any Novelties, or to ſuffer them, much leſs to receive new Laws from the Ambaſſadors of *Denmark:* That he does not found himſelf upon any one Example, whereas they do it upon all that have paſſed: That they will not enter upon the Matter of his pretended Parity between their Crowns, but will keep cloſe to what has been the conſtant Practice; and if *Denmark* will delay the Treaty upon this Point, or the Allies upon this Occaſion, the King their Maſter is as much at Leiſure as they, and will be content to let the War go on.

UPON all this it will be neceſſary to let his Majeſty know, what we obſerve in the general upon the Play of this whole Game: Count *Kinski* ſeems to lay out induſtriouſly for all Points that can fall in to occaſion any Delay in the Treaty; the *Dane* and the *Brandenburgh* ſeem to be influenced by him in this Conduct; and ſo all agree in being Punctilious, not only with the Parties, but a good deal with us the Mediators (tho' all is now grown eaſie again between Count *Kinski*

and us); on the other Side, the *Dutch* are extreamly preſſing upon the Progreſs of the Treaty, and ſeem bent upon the Peace; and M. *Beverning* told us, that the Penſioner had writ him ſuch a Letter upon it the other Day, asking him what they did here, ſince nothing advanced; that he, M. *Beverning*, had anſwer'd him, that if the Penſioner thought they did nothing here, he, for his Part, would go Home to his own Houſe.

Upon this Subject we muſt likewiſe remark, that yeſterday, in Conference upon theſe Inſtruments, M. *Beverning* deſired, that where we found any of the Parties agreed, as the *French* and *Dutch*, or *Swedes* and *Dutch*, we would make Exchange of the Inſtruments between them, and leave the others to their Diſputes: The ſame Evening M. *Kinski*, on the contrary, deſired us, that tho' ſome of the Parties might agree, yet that we would make no Exchange between them, till all the reſt were agreed too; ſince the Allies could not proceed, but in Conjunction one with the other. Nay, he went ſo far, as to ſpeak of it as a Thing which he thought we ought not to do.

Among theſe Contradictions, and the conſequent Paces we apprehend on each Side from them, we beg his Majeſty's Reflexions and Inſtructions, and in the mean time, when M. *Beverning* preſſes us again upon theſe Points, we ſhall let him know what Count *Kinski* has ſaid to us on the other, and deſire them to take their Meaſures together, what they would have us do in it. All we apprehend is, that the more the other Allies hold off, the more the *Dutch* will preſs on the Treaty; and that in purſuing their Inſtances to ſeparate Paces, to be made where they agree with the *French* or *Swedes*, and their Allies do not, if we refuſe to aſſiſt between them, they will uſe other Hands, or need none, by falling into Communications with the Parties themſelves.

About two Days ago M. *Beverning* told us, it had been moved in their Aſſembly, that they ſhould deſire to ſee our *Plenipouvoirs*; and he intimated to us, that it might be better not to put them upon the Demand of it, but to communicate them of ourſelves. We did ſo, and ſent our Secretaries to ſhew to them the Originals, and leave authentick Copies with the *Imperial*, *Daniſh*, and *Dutch* Ambaſſadors.

This Morning we acquainted the *French* Ambaſſadors with what paſſed upon this Occaſion, and how ready we ſhould be, upon the leaſt Intimation, to communicate them likewiſe to any of the other Parties; but they, inſtead of ſeeming to deſire it, turn'd it another Way, and ſaid, it had never been done nor required of any of the Mediators at the Treaty of *Munſter*.

We are to acknowledge the Favour of yours of the 19*th*, and ſhall not fail to make the Uſe you therein preſcribe us, of what you there ſay of his Majeſty's Opinion upon the *French* Ambaſſadors Pretence of Preference to other Crowns, in caſe they happen hereafter to advance any ſuch Thing: But for the preſent, there is no more Talk of that Matter, nor any Appearance of Viſits likely to paſs between Count *Kinski* and the *French* Ambaſſadors. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen,

Nimeguen, 1ſt Feb. 1676-7.

Right Honourable SIR,

OUR laſt was of the *29th* paſt, ſince which we have none from you to acknowledge.

OUR Diſpatch was no ſooner gone that Day, but Count *Kinski* came to us in the Name of the *Brandenburgh* Ambaſſadors, who being not ſatisfied, it ſeems, with the Offices of Mediation that the *Dutch* Ambaſſadors had performed (as themſelves pleaſed often to expreſs it) between them and us, had now made Uſe of Count *Kinski*, as more a Friend (for ſo we conceive him) to their preſent Pretenſions, and conſequently more zealouſly concern'd than the *Dutch* Ambaſſadors, who have a Competition with the *Brandenburghers*, to gain the Point of an equal Treatment to both Ambaſſadors from us, which the Emperor had by a late ſpecial Conceſſion granted to the Elector of *Brandenburgh*.

HE began with telling us, that he was come with a ſpecial Commiſſion from the *Brandenburgh* Ambaſſadors, and gave both of them the Title of *Excellencies*, with more of Affectation than is uſual in Converſation, when Ambaſſadors that are abſent are ſpoken of.

HE entered *firſt* into the Reaſons of their Caſe, ſaying, that Repreſentatives were never divided in any other Place than that of the Empire; he inſtanced in the Ambaſſadors of *Venice*, and of the States; but he acknowledged withal, that within the Empire, the Emperor's Ambaſſadors did treat the Ambaſſadors of Electors with a Difference between the firſt and the ſecond.

2. THAT the Treatment of Electoral Ambaſſadors at *Munſter*, had been according to the Stile we pretend to keep to; that other crowned Heads affecting to imitate the Emperor, may have done it at *Munſter*, and in the ſubſequent Aſſemblies of *Neuremberg* and *Frankfort*; whether the Practice between Ambaſſadors and the *Electoraux* had been ſuch, he was not able certainly to determine: This, he ſaid, he was ſure of, that the Stile of the Emperor's Ambaſſadors was, to treat the *Electoraux* with a Treatment differencing the firſt from the ſecond.

3. THAT the Emperor having in *November* laſt enlarged his Conceſſions, and the Ambaſſadors of *Spain* and *Denmark* having followed him, he hoped the King our Maſter would join with theſe three Crowned Heads, which make a Majority, as long as his Majeſty does not declare himſelf, rather than with the preſent Enemies of the *Brandenburghers*, who will be ſure to diſpute every Thing with the Elector, that is capable of being brought into Controverſy.

4. THAT he hoped his Majeſty would be the rather inclin'd to join with this Majority, in that he hath already many Years ſince clear'd this Point in his own Court in Favour of this Elector, by treating his two Ambaſſadors without any Diſtinction; which Favour of his Majeſty had been look'd upon, he ſaid, as very much leading both to the Emperor, and to the Crowned Heads that followed him, in the Enlargement they are now entered upon.

5. THAT the *Brandenburgh* Ambaſſadors were ſo tied up to their Orders, that they could not pay us the *contre*-Viſits, nor enter into any Commerce with us, unleſs they might be firſt aſſured of an equal Treatment; however, that in Hopes of a juſt Repreſentation from us to his Majeſty, of the Equity of their Pretenſions, they declared by him Count *Kinski*, they were willing to accept of the Offices of our Media-

Mediation by a third Hand, and to ask us for them to, when they ſhould have need of them; and this they would do for the Space of three Weeks or a Month only, in Hopes that by that Time we may have Directions from his Majeſty more favourable to them, and that the Elector himſelf may be in this Neighbourhood within that Time, to whom Recourſe, he ſaid, may be had for further Directions, in caſe we have not an Anſwer that would accommodate all in the mean while.

THIS is the Subſtance of what he ſaid upon diverſe *Reprizes*, and it is very remarkable, that he yielded plainly and fully, that the *Brandenburghers* have no Ground for their Pretenſions in the Practice of *Munſter*, the *Imperial* Ambaſſadors having lived, as he acknowledged, with thoſe of the Elector, according to the ſame Stile we pretend to do; and that if Ambaſſadors of other Crowned Heads lived ſo with them to, for in that Matter of Fact, he ſaid, he had nothing certain to affirm or deny, they did it according to the Pattern the Emperor had given them; ſo that tho' the *Brandenburghers* in their Diſcourſes to us, and the *Dutch* Ambaſſadors in theirs, as often as they ſpoke for them, have laid a great Streſs upon the Practice at *Munſter*, at leaſtwiſe upon the Negative, that the unequal Treatment had not been uſed there, Count *Kinski* relinquiſhed that Ground wholly, and reduced their Pretenſions to the Inſtructions of the Emperor, dated in *November* laſt, to his Ambaſſadors here, and to the Concurrence of *Spain* and *Denmark* with him in that Point, and eſpecially to the Favour that had been ſhewed this Elector many Years ſince, in his Ambaſſadors, by the Treatment they received from his Majeſty himſelf.

THE Anſwer we made to all this, conſiſted in ſhewing him, 1*ſt*, What Train this Affair had taken, ſince the firſt Notification that the *Brandenburgh* Ambaſſadors had made us.

2. WHAT Facility his Majeſty had given to the performing of our Function as Mediators towards them, ordering us to do it, as if there had been no ſuch Difficulty depending.

3. HOW his Majeſty, in the Inſtructions he had given us, had laid to himſelf as a Rule, "to follow elder Precedents in this Aſſembly, "rather than to make new ones.

4. THAT it would be a Satisfaction to his Majeſty to find, from the Account that he M. *Kinski* gave of the Practice at *Munſter*, he had not been ſo ill informed, as the *Brandenburghers* had ſurmiſed he was.

5. THAT his Majeſty, as Mediator, thought he had Right to take his own Time, to declare his Judgment in a Point thus controverted, and that all Inſinuations, as if his Majeſty had favoured the Opinion or Practice of the *French* and *Swedes*, do not do him Juſtice, in Regard his Orders to us were given before any Thing was known of their Senſe or Intentions, and were grounded upon no other, but the Informations his Majeſty had had of the elder Precedents.

THAT which we have to obſerve unto you upon the whole is this; Count *Kinski* managed this Commiſſion with much Earneſtneſs; he changed indeed the State of the Caſe, as to the Account he gave of the Practice at *Munſter*; he endeavour'd to eſtabliſh a different Stile and Practice within the Empire and out of it, and would needs inſinuate, that theſe Honours to the Electors, had their Riſe, firſt and laſt, from the Example of the Emperor; and that he hoped other Princes would change as he had done.

BUT that in which we are moſt concern'd is, that this Commerce the *Brandenburghers* are willing to have with us by a third Hand, is

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to laſt but three Weeks, or a Month at furtheſt; when that is expir'd, they will expect his Majeſty's final Reſolution, and 'tis probable, that the Elector will be about that Time come to *Cleves*, which will render his Majeſty's Directions more neceſſary for our Government.

On *Tueſday* in the Evening, the *Dutch* Ambaſſadors brought us the Minutes of their ſeveral Powers, to treat with the *French* and *Swedes*, ready ſign'd; as alſo the Act obligatory relating to them. They deſired our Offices in collating them with the ſeveral Projects, and in ſhewing them to the *French* and the *Swedes*, and in leaving Copies with each; as alſo, when they were done, in procuring for them Copies of the like Minutes from the *French* and *Swedes*, together with a Sight of the Originals that were to lie in our Hands.

When they had thus opened the Buſineſs, they put the Papers into my Hands, the Lord *Berkley*, and we, foreſeeing they intended to make a ſeparate Step in this Matter, upon the Difficulties ſtill remaining between the Allies, and the *French* and *Swedes*, deſired them they would help us to get the Powers of the reſt of their Allies adjuſted, that we might do the Offices, and make the Exchange they demanded for themſelves, between all the Parties preſent, at one and the ſame Time.

We acquainted them with the Difficulty we apprehended to be, in bringing M. *Heugh* to exchange with the *French*, he being poſitive not to give his Power in *Latin*, but in *Daniſh*, if the *French* Ambaſſadors will not give theirs in *Latin*, but in *French*.

We told them further, that Count *Kinski* had, when we were with him, to ſhew him the Minutes he was concern'd in; and to acquaint him, the Things wherein his Minutes differ'd from thoſe of his adverſe Party (the *French* and *Swedes*) had forewarn'd us, that we ſhould not take upon us to exchange thoſe Powers, where there was no Difference remaining, as between the *French*, *Swedes*, and *Dutch*, there was none, as we told him, until the Difficulties between the *Dane* and the *French*, and ſo between all the other Parties, were wholly taken away, and their Powers perfectly adjuſted; he giving for a Reaſon, that we having received the Minutes of all the Allies at one and the ſame Time, and from the ſame Hands, (the *Dutch* Ambaſſadors) in Order to adjuſt them, and to make the Exchange; it was our *devoir* to make that Exchange, when all the Powers were adjuſted, and not before.

To this the *Dutch* Ambaſſadors reply'd, they had done their utmoſt with the *Daniſh* Ambaſſador, and would have been glad to have brought him to an *accommodement* with the *French*; but that ſince they could not, they muſt not ſuffer the whole Negotiation to ſtick upon ſuch a Nicety as this is.

Their Maſters will have them go on, if the *Dane* will needs *faire la guerre pour ſa langue il la pourra faire*, (thoſe were M. *Beverning*'s Words) but that their Maſters are concern'd to let the World ſee, they have done what lay in them, to ſtop the preſent Effuſion of Chriſtian Blood, *& qu'il n' à pas tenu à eux que la Paix ne ſoit faite.*

As for Count *Kinski*, they ſaid, 'twas true, that he and the other Allies had deliver'd them their Minutes on *Thurſday* laſt, to be put into our Hands, but they did not charge themſelves with thoſe Minutes upon any ſuch Condition, as not to exchange any, unleſs all were adjuſted. They knew too well, how hardly ſome of the Allies would be brought to any final Adjuſtment; and here a ſecond Time they deſired our Offi-

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ces, telling us, their Requeſt was ſo reaſonable, that they hoped we could not deny them.

HEREUPON we laid before them again, the Caſe with the *Dane* and M. *Kinski*, repreſenting to them how deſirable it was, that all the Allies would go Hand in Hand, in finiſhing the Preliminaries, and how uſeful their Offices would be to ſecond thoſe we had already made towards M. *Heugh*, as alſo to bring M. *Kinski* to a right Underſtanding of the Terms and Conditions upon which the Minutes of the Allies had been put into our Hands.

HERE they anſwer'd us plainly, they would neither ſpeak to M. *Heugh* nor M. *Kinski*; they expected we ſhould do the proper Offices now demanded of us, between them, the *French*, and *Swedes*, and when our Offices were done, they might poſſibly talk to them afterwards; but they would not do it before, they being reſolved to give their Maſters an Account by this Day's Poſt, that they had depoſited their Minutes in our Hands on *Tueſday* Night, and had deſired us to communicate them to the *French* and *Swedes*, and alſo to procure for them the Communication of theirs in Exchange.

HERE M. *Beverning* redoubled his former Earneſtneſs; requiring us to do our Part, and telling us in Anſwer to what we had preſs'd, for getting all the Allies into the ſame Readineſs, before we ſhould do this Office, that his Majeſty's Mediation was not a Mediation between one Alliance and the other, but between each ſingle Party, and his Adverſary; that his Majeſty's Mediation had been ſo propoſed, that is, ſingly and ſeparately to each Party, and that their Maſters having ſo accepted it, might hope to reap the Benefit of it, tho' others ſhould not be ready for it, or not deſirous to partake of it at the ſame Time.

IT was eaſy to perceive what all this tended to; we therefore repeated once more our Inſtances, that they would, if not bring over M. *Heugh*, and ſatisfie Count *Kinski*, at leaſtwiſe that they would endeavour it, before they preſſed us further to paſs our Offices between them and the *French* and *Swedes*.

WE offer'd them new Arguments towards M. *Heugh*, as that the Treaty was begun between him and the *French*, in the *Latin* Tongue on his Part, the *Denmark* Paſſports to the *French* Ambaſſadors being *Latin*, and the *Plenipowoir* to treat with them being in that Language too, and exchang'd with the *French*, one for *France*, without any Exception taken to their Language.

FOR Count *Kinski*, we told him, we thought it was reaſonable for them to ſpeak with him, ſince he and they only knew (and we not at all) upon what Terms and Conditions they (the *Dutch* Ambaſſadors) had received the Minutes of all the Allies, to depoſite them in our Hands, adding withal, that they might have theſe Conferences within the Compaſs of one Day with both theſe Parties, and that we ſhould apply ourſelves likewiſe on our Parts, to gain and to ſatisfie them.

M. *Beverning* held firm to his Concluſion, and repeated the third Time the ſame Inſtances and Demands, that we ſhould do our Offices, and amongſt other Things, he let fall theſe Words, that if we did not do it, *il faut trouver d'autres voyes pour le faire.*

IN the Cloſe of this Converſation, (which was longer than Ordinary) and upon our aſſuring them, we would examine their Minutes, in Order to find whether they were fully agreed with the *French* and *Swedes*, M. *Van Haren* proved ſofter than M. *Beverning*, and was content

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to ſpeak with M. *Heugh*, and *Don Pedro Ronquillo*, in Order to get him to ſatisfy M. *Kinski*.

In this Converſation ſeveral Things fell from them, which we take Leave to lay before you, and to ſubmit to the Judgment you may pleaſe to make, of the Way that the *Dutch* are now in, for Meaſures ſeparate from their Allies.

One Thing was, they told us plainly, that tho' the Allies do expect and pretend, that all Propoſitions and Demands ſhould be managed jointly by the whole Alliance, yet their Maſters the States do expect, their Ambaſſadors ſhould be left to themſelves, and ſo *chaqu'un à demêler ſes propres affaires*.

Another Thing was, that the States are not bound by any Treaty to go Hand in Hand in theſe Steps with their Allies; they are bound to no more than to procure their Allies a Faculty to ſend their Miniſters hither, and to enter into the Treaty as well as they, only they are not to conclude till their Allies have Satisfaction; but the Judgment and Meaſures of that Satisfaction, the States, as their Ambaſſadors have upon other Occaſions often told us, do reſerve wholly to themſelves.

Another Thing was, that it is very viſible their Allies have ſeveral Views, and that they join the one to the other, whenever there is any Colour of *Accrochment* given to any ſingle Party; that they, the *Dutch* themſelves, and they alone, have made all the Advances that have been hitherto made; and that in a Step ſuch as this is, their Allies may be brought to follow them, but they will never join Hand in Hand with them. They further let us know, they are already weary of their aſſembling near the Stadthouſe, and that they hope for no Fruit from it, unleſs the *French* and *Swedes* aſſemble to on their Side; and conſequently, that there be an Opportunity given to the Mediators, to go between the one adverſe Party and the other.

As we had (on *Tueſday* Night) told the *Dutch* Ambaſſadors we would, yeſterday Morning we ſpoke with M. *Heugh*; we found him unalterable for the Parity, and that he left it with much Indifference to the World to judge, whether his Maſter had Reaſon to inſiſt upon it or not; as for the Arguments drawn from former Uſages and Cuſtoms, he was no further moved with them, than to ſay, it was Time for them in *Denmark* to begin and to eſtabliſh Uſages that might do them right, if they had been hitherto negligent in it; that tho' his Maſter was not ſo great a King in Extent of Territories or Revenue, yet in his own Dominions he was more abſolute than the King of *France*, or any other King in *Europe*; that in *Denmark* there was nothing but *la volonté du Roy*.

This being compared with what fell from M. *Colbert* yeſterday in the Evening in particular Converſations, we do take the *French* and the *Dane* to be irreconcileable upon this Point.

As we ſpoke with the *Daniſh* Ambaſſador, ſo we ſpoke with Count *Kinski* yeſterday in the Forenoon, and as far as we are able to judge, the Matter of Titles between him and the *French*, and alſo the *Swedes*, will be agreed, by referring them *bonâ fide* to be extended according to the preſent Stile of the ſeveral Chanceries; he repeated much of what had paſſed between us on *Monday* Night about the *Brandenburgh* Pretenſions.

One Thing he ſeemed ſenſible of in this laſt Converſation, it was, that it could not be denied but his Majeſty had a juſt Concern, to conſider well of the Treatment that ſhould be pretended to by the

Electoraux, in Regard of the Precedents and Conſequences that would concern the Princes of *Germany*, who do all pretend to the ſame Treatment that is given to the Ambaſſadors of Electors. But he did inſinuate plainly to us, that the Emperor would look upon it as a Mark of his Majeſty's *Amitie* to him, if he ſhould be pleaſed to give the ſame Treatment as the Emperor had done to the *Electoraux*.

In this Converſation he did avow frankly, that he had deſired us not to make thoſe Steps which the *French* expected we ſhould make in exchanging their Powers, and took upon him to make it good in the next Aſſembly of the Allies, where he would alſo endeavour, he ſaid, to bring the *Daniſh* Ambaſſador to Reaſon about the *Daniſh* Language.

Late laſt Night *Don Pedro Ronquillo* call'd upon us, Sir *William Temp'e* and Sir *Leoline Jenkins*; he told us, he had newly ſpoke with the *Daniſh* Ambaſſador, about the conſigning of the Powers into our Hands, and that he deſired no more but two Days Time to reſolve in the Point of the *Daniſh* Language. *Don Pedro* told us, he would go ſtrait from us to the *Dutch* Ambaſſadors, in Order to diſpoſe them to give him and the *Dane* that little Reſpite, aſſuring us, that afterwards, whether the *Dane* would do it or no, (and ſo for Count *Kinski*, whom he intended to ſollicit to join with them) he, *Don Pedro*, would do it without further Delay, and would give in his Propoſitions as ſoon as the *Dutch* give in theirs.

In the laſt Conference we had with the *French*, we did, as we had been requeſted by the Duke of *Newburgh*'s Miniſter here, paſs our Offices with them, ſo far as to deſire them to write to the Intendant of *Maeſtricht*, that the Dutchy of *Juliers* may not be treated with more than ordinary Rigour, in their Contributions for this next Year, and that thoſe Subjects may be taxed upon an equal Foot with the Dutchy of *Cleves*, ſince both thoſe Dutchies are equal in their *Quota*, in the *Matricula* of the Empire.

The Ambaſſadors excuſed themſelves, as they had done once before upon the like Motion, ſaying, the Intendant has his Orders from Court, and that nothing they could write to him would be able to prevail for any Eaſe to thoſe People, only they did not diſcourage us, if the Motion were carried on any other Way to their Court; for they thought a Word from his Majeſty to M. *Courtin*, would effect all that could be reaſonably deſired in this Buſineſs.

This Miniſter does complain very much, and ſays, that the *French* have pillaged one Village, and burnt another, in Order to ſtrike a Terror into the People that are upon Compoſition; but the Duke his Maſter has no Recourſe or Hopes but what he lays in his Majeſty's Protection.

We muſt not forget to tell you, that Count *Kinski* made a Queſtion, whether *Don Pedro Ronquillo* might not, when the Powers ſhould be exchanged, appear in Publick. We told him, we were afraid there would be Difficulties about his Rank and Treatment; hereupon Count *Kinski* took upon him to maintain, that a Plenipotentiary in a General Aſſembly had always the Treatment of an Ambaſſador; he inſtanced in that of *Munſter*, where a Miniſter of the Emperor, who was known only to be *Commiſſarius*, and no more, was treated as Ambaſſador by the Duke *de Longueville*. And I, Sir *William Temple*, do remember, that M. *Chiningberg* hath ſometime told me at the *Hague*, that while he himſelf aſſiſted for the King of *Denmark* at the Treaty of *Breda*, he had been treated by the Ambaſſadors there as an *Ambaſſador*, tho'

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his Title and Commiſſion was *Plenipotentiary*, and no more; but of this we ſuppoſe Mr. Secretary *Coventry* can give particular Informations.

THE *Dutch* Ambaſſadors having on *Tueſday* Night left their Minutes for the *French* and *Swedes* in our Hands, we having compared them with the Original Projects, carried them back, together with the *French* and *Swedes* Originals, this Morning: They compared theſe Originals with their own, and finding them to agree in all Things, they reſolved (which was the only Queſtion we had to put to them), that the Acts obligatory between them ſhould bear Date on *Sunday* next, unleſs upon Concert with *Don Pedro Ronquillo*, they ſhould agree upon another Day. They told us, it was much to be wiſhed all the Parties might be brought to give in and ſign theirs by *Sunday* too; but whether all the Parties be agreed or not by that Time, we think we cannot refuſe to do the Offices incumbent upon us, of exchanging and taking into our Charge thoſe Minutes between ſuch as ſhall be agreed.

UPON theſe Steps that the *Dutch* Ambaſſadors have made towards the *French* and *Swedes*, and upon the Likelihood of ſuch others as may be hereafter made between them of the like Nature, we have diſcourſed among ourſelves, and conſidered what we were to do in ſuch ſeparate Paces, and having laid together all that at any Time hath in ſeveral Letters by yourſelf been written to us here, upon Queſtions repreſented to you from hence, as fit (as it happens) to this preſent Purpoſe, as if they had been framed upon this Occaſion, we find ourſelves in a great Degree left to ourſelves without Inſtructions, and no where forbid to be aſſiſting in theſe Offices of handing ſuch Inſtruments; but, on the contrary, in one from you of the 15*th* of *September*, wherein we are referr'd upon theſe Caſes to his Majeſty's future Pleaſure, you are pleaſed to add theſe Words, that — " We ſhould forbear till we hear " further of his Majeſty's Mind in the Point, from ſaying any Thing " for or againſt that Kind and Way of tranſacting. We were all of us of Opinion, that we ought to make this Step between ſuch of the Parties as ſhould be agreed, eſpecially ſince it appear'd by their Proceedings, that they were otherwiſe reſolved to make it without us, and by that Means the whole Matter between them would be taken out of our Hands, if we ſhould not aſſiſt in theſe Paces.

THIS Step being only in a Preliminary, we hope you will have received Notice of it Time enough, before we are put upon another, to let us know his Majeſty's Mind more particularly in this Caſe, to the End we may be able with more Certainty to govern ourſelves hereafter in all Incidents of this Nature. We remain, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 5th Feb. 1676-7.

Right Honourable SIR,

OUR laſt was of the 1*ſt* Inſtant, which gave you an Account of what Difficulties then remain'd concerning the Projects of new Powers, which came the next Day to be ſo near adjuſted, that the Parties agreed upon *Sunday* the 4*th* Current for the Day of ſigning them, and from which the 60 Days ſhould begin, wherein they obliged themſelves to procure new Powers.

THERE remain'd only the Difficulty raiſed by the *Daniſh* Ambaſſador, about the uſing his own Language in his Inſtrument for *France*, wherein, he ſaid, he had poſitive Orders; and the *French* Ambaſſadors would not admit of the Expedient, to have a Clauſe inſerted in the Act of *Salvo*, that the Uſe of no Language, as well as Titles, ſhould draw into Conſequence; upon which ſome of the Allies had undertaken, that the *Daniſh* Ambaſſador ſhould be induced to ſign the preſent Project in *Latin*, according to former Practices.

WHATEVER was to become of this Diſpute between them, Count *Kinski* and *Don Pedro de Ronquillo* had however reſolved, as well as the *Dutch*, to exchange their Projects on *Sunday*; but upon *Saturday* about Noon, we received the Favour of one from you of the 23*d* paſt, with his Majeſty's Reflexions upon our having handed the new Projects between the Parties, after they had left out the Word of *Mediation*; and likewiſe his Majeſty's Inſtructions, what we ſhould immediately do, for retrieving that Fault.

WE reſolved, upon Conſultation together, to go that very Afternoon to all the ſeveral Ambaſſadors here in Town, except thoſe of *Brandenburgh*, with whom we have yet no Communication, and to acquaint them with his Majeſty's Thoughts upon it, in the Manner we had together digeſted upon Paper, and which we ſend you here incloſed: We began with the *Dutch* Ambaſſador, with a Deſign not only of engaging his Conſent, but his Offices likewiſe with the reſt of his Allies, we eaſily obtain'd from M. *Beverning* both the one and the other; but going from him to Count *Kinski*, he told us, he was much ſurprized at the Advice we gave him of his Majeſty's Diſſatisfaction, and Deſire in this Matter, eſpecially at this Time, ſince it was not now *Res integra*, in Regard a Convention had already paſſed of the preſent Project among all the Parties, and thereupon he could not give any Anſwer of his own, without firſt conſulting the reſt of his Allies, and knowing likewiſe the Reſolution of his adverſe Parties upon the Matter.

FROM Count *Kinski* we went to the *French*, the *Swedes*, and the *Dane*, and found them all not only very eaſy in the Thing, but alſo full of Expreſſions, how deſirous their Maſters were to give all the Honour that could be to his Majeſty's Mediation, in this or any other Point, wherein it ſhould happen to be concern'd.

FROM them we went to *Don Pedro de Ronquillo*, who told us, he had notice of the Thing from Letters of his own; as likewiſe, that his Majeſty laid it particularly upon him, which he ſeemed to be much affected at; but upon the whole, the Anſwer he gave us agreed ſo much with Count *Kinski*'s to us, that we believed they had been beforehand concerted between them. We told him upon it, that we could give him already the Light he deſired, by aſſuring him of the Conſent not only of his own Allies, (except Count *Kinski*) but likewiſe of his adverſe Parties, ſo as we conceived no Difficulties now to remain, unleſs it were in the Count and him; he reply'd, that it was however a Thing he could not give his Anſwer in, without firſt conſulting his Allies.

AFTER this we went again to M. *Beverning*, to deſire him that he would ſpeak with the *Brandenburgh* Ambaſſadors upon the Point, rather than leave it to Count *Kinski*, whom we had not found very eaſy in the Thing, tho' otherwiſe he had taken upon him of late, the Part of tranſacting between us and them, whatever was neceſſary in the Courſe of our Buſineſs here; M. *Beverning* took upon him this Office very

very willingly, and having at the ſame Time known from us, what had paſſed in the ſeveral Converſations with the Miniſters here, he deſired us, that ſince Count *Kinski* had deferr'd his Anſwer till he knew the Opinion of the other Parties, we would take the Pains to go to him once more, and acquaint him with all their Conſents, which we did the ſame Evening, tho' ſomething late. He gave us Thanks for this Communication, and ſaid, that he could not however give us any Anſwer, before he had ſpoken with all his Allies in their Aſſembly next Day; but at the ſame Time, made us great Expreſſions of his Maſter's entire Confidence in his Majeſty's Mediation; and that if any Difficulty ſhould remain in this Matter, it would proceed from other Reſpects, and not from any Want of that, which was due to his Majeſty's Honour or Satisfaction in this Point.

On *Sunday* in the Afternoon, the *Swediſh* Ambaſſadors came to us, and their Buſineſs ſeem'd to be no other, but to deſire us, that ſince they and the *French* had conſented to the Mention of his Majeſty's Mediation, and they had no Reaſon to doubt the ſame would be done by the greateſt Part of the Allies, we would make the Exchange of Powers between ſuch Parties as agreed to it, in Caſe any Difficulty were made by the others.

The ſame Evening, after the Aſſembly of the Allies was ended, M. *Beverning* came firſt to us, and afterwards Count *Kinski*, and acquainted us, in few and plain Words, that the Miniſters of the Allies had, upon Conſultation together, reſolved unanimouſly to ſatisfie his Majeſty in what he had propoſed to them, concerning the Mention of his *Mediation*. They aſſured us thereupon, that they would cauſe the Inſtruments immediately to be tranſcribed in that Form, ſo as they might be ſign'd this Day. Count *Kinski* deſired us earneſtly, at the ſame Time, to find out ſome Expedient in the Difficulty about the *Daniſh* Language, as likewiſe to perſwade the *Swedes* to leave out the Word *Celſiſſimus* in the *Brandenburgh* Titles.

We have ſince received the Favour of yours of the 30*th* paſt; with Orders how to proceed in the Matter ſtill depending between us and the *Brandenburgh* Ambaſſadors, which we ſhall not fail to obſerve; and in our next Converſation give Count *Kinski* notice of our Orders therein, who at preſent manages their Concern in the Courſe of this *Mediation*. We remain ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 8th Feb. 1676-7.

Right Honourable Sir,

In our laſt, which was of the 5*th*, (ſince which we have not any from you to acknowledge) we acquainted you, how all the Parties here were come to a Reſolution to ſatisfy his Majeſty in what we had propoſed to them on *Saturday*, concerning the expreſs Mention of his Majeſty's Mediation.

Most of the Time ſince hath been ſpent in Executing that Reſolution, the ſeveral Parties writing over their Inſtruments again, with the Word *Mediation* in the Preamble of the ſeveral Powers; which, all Things elſe being in a Manner adjuſted, they have been preparing to

to put into our Hands, it being intended that all the *Acts obligatory* ſhould bear date as on *Sunday* laſt the $\frac{4}{14}$*th* of *February*.

On *Monday*, we had a Conference with the *French* Ambaſſadors, about the Powers of *Don Pedro Ronquillo*; M. *Beverning* having procured us a Sight of them in their Originals the Night before, we were able, having peruſed them, to ſatisfy the *French*, as the *Dutch* Ambaſſadors had deſired us to do, that his Powers were in good Form, and ſuch as might be treated upon very validly; but we found the *French* were not otherwiſe to be ſatisfied, than with the Sight of thoſe Powers, or elſe with a Declaration from us, touching the Character of *Don Pedro*, whether he was an Ambaſſador, or elſe a Plenipotentiary, and no more. This, they ſaid, it very much concern'd them to be very well inform'd in, againſt he ſhould appear in publick, leaſt they ſhould give into that falſe Step, of treating one that was but *Plenipotentiary*, with the Rank and Stile of an Ambaſſador. This they ſaid they could not do, the Caſe having been judged at *Munſter*, that a Plenipotentiary has no Rank; and they did yeſterday declare themſelves yet more expreſly, that their Precaution muſt be the greater, becauſe *Don Pedro* ſeems deſirous to avoid ſhewing his Powers; they muſt have, they ſaid, if not a Sight of his Original Powers, at leaſt a Copy atteſted by the Mediators.

In this Converſation, they let us ſee alſo, how unmoveable they were in their Reſolution of not treating with the *Dane* upon his Power in the *Daniſh* Tongue, ſpeaking of his Pretenſion as a pure Novelty, and Encroachment upon that Poſſeſſion they are in, of uſing the *French* Tongue towards that Crown, and of having the *Latin* uſed towards them, the Intercourſe in Treaties and Letters having been always ſo, and not ſo much as one ſingle Inſtance to be ſhewed, of uſing the *Daniſh* Tongue towards *France*.

Yesterday the *Imperial*, *French*, *Swediſh*, and *Dutch* Inſtruments having been put into our Hands, the Exchange was made between thoſe ſeveral Parties, by communicating of the Originals of one adverſe Party to the other, and leaving Copies with each atteſted under our Hands. Only Count *Kinski* finding a material Exception againſt the *Act obligatory* of the *Swedes*, would go no further than to make his Exchange with the *French*; his Exception was to their Undertaking to procure new Powers within the Compaſs of 60 Days, but not ſaying withal, when thoſe Days ſhall begin to run; whereas all other Parties do ſay, they are to be reckon'd from the Date of the *Act obligatory*.

'Tis true the *Swedes*, together with their two Inſtruments, gave another ſeparate Act, or rather a Kind of *Proteſtation*, (the Copy whereof goes along) whereby they give it for a Reaſon, why they do not charge themſelves to procure new Powers within 60 Days from the Date of their Act, becauſe they have not a free Paſſage for their Letters; adding, that their meaning is, the 60 Days ſhall be computed from that Time that the Freedom requiſite to Ambaſſadors to communicate with their Maſters, ſhall be allowed them, and not before; however, they are content to treat in the mean while.

This Act of theirs Count *Kinski* would not receive, nor yet their Inſtruments, ſaying, there being no Term fixed for the 60 Days to commence, it is the ſame Thing as if there were no ſuch Term, nor Obligation enter'd into at all; for that when the firſt Powers of the other Parties ſhall be expired, (as he takes it for granted they muſt be at the End of theſe 60 Days) the *Swedes* Powers will be ſtill in Being; and when

when the Parties ſhall have treated and agreed, it will be in the Power of the *Swedes*, by not bringing in their new Powers, to keep off the Concluſion.

ANOTHER Obſervation Count *Kinski* made, that it being ſaid in this Proteſtation, that the Diſpatch the *Swedes* are to make, upon this Occaſion of procuring new Powers, is of that Moment, as not to be entruſted with any other Conveyance than that of a Courier of their own; *Don Pedro Ronquillo* might, he ſaid, alledge the ſame Thing, and not intruſt his Diſpatch upon this Occaſion by the ordinary Conveyance, that goes every 15 Days from *Bruxells* into *Spain*; but he would, he ſaid, leave *Don Pedro* to manage his own Concern as himſelf ſhould think beſt, only he deſired us to take Notice, that if *Sweden* did complain in this Caſe as hardly dealt with, *Spain* had the ſame Reaſon to complain likewiſe; ſo that he was content to make his Exchange only with the *French*.

UPON the Communication of the *Swediſh* Inſtruments to M. *Beverning*, this Proteſtation was laid before him, as that which we conceived both new and ſingular; but he paſs'd it over without much Heed, ſaying, he had already received an Original of it from the *Swediſh* Ambaſſadors; which we take Leave to obſerve, as one Inſtance more of that which we have in ſome of our former Letters deſired you to take Notice of, that thoſe Things which by the Courſe of the Negotiation ſhould be handed to the Parties by our Offices, have another Conveyance, and that quicker than by us; and we have Reaſon to believe, it is by a Correſpondence ſettled between M. *d'Olivenkrantz*, and M. *Beverning*.

NOTWITHSTANDING that the *French*, *Swedes*, and *Dutch* are over their Preliminaries, we are apt to think there will be yet ſome little Difficulty between them, about the Manner of giving in their Demands. The *Dutch* have told us, they will do it in Writing; the *French* will decline this Way all they can; yet their Allies the *Swedes* had rather do it in Writing; and as far as we are able to gueſs by M. *d'Olivenkrantz* Diſcourſe in a particular Converſation, they will either do it in Writing, or at leaſt dictate what they have to demand to the Mediators, ſo as they may be poſſeſſed of it in Writing.

THO' this may bear ſome Debate between them, yet 'tis probable they will come at laſt to ſome Adjuſtment or other. That which we have need of in the mean while, and do beg, is the Favour of your Directions, how far we are to be ſubſervient to theſe Parties, whether their Demands be in Writing or by Word of Mouth, in the Tranſactions they are like to have ſeparately from others their Allies; for his Majeſty having pleaſed to declare, as we find it by yours of the 5*th* of *January*, that he cannot encourage, countenance, or (ſo far as may be in his Power fairly to prevent it) ſuffer any ſeparate Accommodation between whatſoever Party: And yet M. *Beverning*, on the other Side, having let us know, he underſtands his Majeſty's Mediation not only between Alliance and Alliance, but between each of the Parties and his Adverſary, and that it hath been ſo propoſed and accepted: It is our humble Deſire to be inſtructed, how far it is his Majeſty's Meaning we ſhould make any Steps between theſe Parties, ſuppoſing them entered into Matter, and yet that the other Parties do ſtand off upon ſome Preliminary Difficulties, or elſe that all do get over the Preliminaries, (as it is probable they may, the *Imperialiſt* having now made that Step towards the *French*) and yet ſome of them ſtick upon a Point in the Merit of their Pretenſions, that ſhall admit of no Temperament,

perament, while the *Dutch*, *French*, and *Swedes*, go on in compoſing theirs.

THIS we take Leave to ſuppoſe may be Part of our Caſe, for it was ſo at *Munſter*, the *Swedes* having adjuſted their Matters ſeveral Months before the *French*; and if ſo, we muſt expect to hear again of M. *Haren*'s Treaty *in Eventum*, and alſo of that which M. *Beverning* hath often talk'd of, that they, the *Dutch*, will turn Mediators, as ſoon as their own Matters are adjuſted, tho' he ſays they will not conclude without their Allies. We are, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 12th Feb. 1676-7.

Right Honourable SIR,

OUR laſt was of the 8*th*, giving you an Account of the Exchange of Inſtruments being made between Count *Kinski* and the *French* Ambaſſadors, and of the Exceptions he made againſt thoſe of the *Swedes*. The next Day we went to the *Swediſh* Ambaſſadors, and acquainted them with that Difficulty; they inſiſted upon the Impoſſibility of procuring new Powers, without the Liberty of their Couriers, and upon the Neceſſity of their *Act Reſervatory*, (as they ſtile it) but they ſeemed willing in their *Obligatory* Act to mention the Date of it, at the Term from which the 60 Days ſhould begin, truſting to their other Act for their Excuſe, in caſe they ſhould not procure their Powers within that Time.

WE acquainted Count *Kinski* with this Offer, but he abſolutely refuſed to accept it, or to exchange Inſtruments with the *Swedes*, if they muſt be accompanied with the *Reſervatory Act*, ſaying, that he would not exchange a Certainty for an Uncertainty; and that the *Swedes* ought to have given in their Inſtruments like the other Parties, to have uſed their beſt Endeavours to procure the new Powers within the limited Time, and in caſe they failed, then to excuſe it upon the Want of Liberty for their Couriers.

HAVING the ſame Day ſeen the *French* Ambaſſadors, we acquainted them with this Incident between the *Imperialiſt* and *Swedes*, and finding no preſent Help in it, we fell into Diſcourſe of its Original, which was the Refuſal made by *France*, to admit the Clauſe for Liberty of Couriers in the Paſſports; upon which Example *Denmark* founded their preſent Proceedings in this Matter, tho' they had at firſt granted their Paſſports with Liberty of Couriers: We asked the *French* Ambaſſadors hereupon, whether there could be any imaginable Inconvenience for them, to grant the *Spaniards* the Liberty of one Courier every fortnight from *Nimeguen* to *Bruſſels*, and from thence to *Madrid*, the uſual Way, ſince they already allowed one from *Bruſſels* to *Madrid* every fortnight, and made no Difficulty upon the Paſſage from *Nimeguen* to *Bruſſels*. Beſides, we conceived by this Inſtitution, the *French* Ambaſſadors would gain a reciprocal Convenience, by having Liberty for their Couriers from hence to *Paris*, which might ſometimes be neceſſary, beſides their Diſpatches by the Ordinary.

THE *French* Ambaſſadors ſeemed to find no Inconvenience in this Expedient, but ſaid, having writ all they could to Court already upon this Subject of the Liberty of Couriers, and received their Anſwers, they

they were unwilling themſelves to touch it any more; but wiſhed that we would propoſe it to Mr. *Montague*, and by his Means to Monſieur *Pompone*.

We do not conceive it fit for us to tranſmit our Thoughts upon any Matters relating to this Mediation, by any other Hands than yours; and therefore have declined the Writing to Mr. *Montague*, but thought fit to give you an Account of theſe Diſcourſes, to the End his Majeſty may pleaſe to conſider, whether it may be fit to renew his Offices to the *French* Court, for a Liberty of Couriers upon this Foot; by which, we ſuppoſe, alone the ſame Liberty may be obtain'd from *Denmark* for thoſe of *Sweden*.

Upon yeſterday, *Don Pedro de Ronquillo* ſent us the Original of his old Powers, in Order to an Exchange with the *French* and *Swedes*, but ſtill deſired us to inſiſt upon his Pretenſions to them of the ſame Treatment being due by the Stile of *Plenipotentiary*, upon the Treaty of a General Peace, as to that of an Ambaſſador, tho' we hope he will not put this Point to the Trial.

Upon the Communication of the Powers to the *French* Ambaſſadors, they wiſh'd the Words *Embiado Extrio en Inglatierræ* had been left out, becauſe they thought it excluded him from his Pretence of Treatment upon the Stile of *Plenipotentiary*; in Favour of which, they had written to Court laſt Ordinary, upon the Marſhal *d'Eſtrade*'s Aſſurance, that the Treatment of Ambaſſador had been given to M. *Clincenberg* at *Breda*, tho' he was there only Plenipotentiary from the Crown of *Denmark*.

Upon the Communication of the Inſtruments between the *Swediſh* and *Daniſh* Ambaſſadors, there was no Difficulty found on the *Swediſh* Side; but M. *Heugh* abſolutely refuſed to accept thoſe of the *Swedes*, upon the very ſame Exceptions, and almoſt in the ſame Terms, that Count *Kinski* refuſed them; ſaying, he could not accept of a limited Act, in Exchange for one which he had given without Limitation.

We received laſt Night the Favour of one from you of the *6th* Current; and ſuppoſe we may have this Day or to Morrow an Occaſion of declaring to Count *Kinski*, the Orders we have received, not to treat with the *Brandenburgh* Ambaſſadors by a third Hand, the ſaid Count having ſent to us yeſterday, to deſire we would make the Exchange of the *Brandenburgh* Powers, which were in his Hands, both with the *French* and the *Swedes*. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 15th Feb. 1676-7.

Right Honourable Sir,

Our laſt was of the *12th*; ſince which, we have not any from you to acknowledge.

The ſame Day Count *Kinski* came to my Houſe, the Lord *Berkley*, with Intention to put into our Hands the firſt *Plenipouwoirs* of the *Brandenburgh* Ambaſſadors, in Order to exchange them with the *French* and *Swedes*. He told us, his Buſineſs was to act for the *Brandenburghers*, as he had been intruſted, deſiring us to take thoſe Powers he had brought along with him into our Charge, and to do our Offices upon them.

THIS being the firſt Occaſion that we have had, ſince our receiving yours of the 30*th* paſt, to execute his Majeſty's Commands relating to the *Brandenburghers*, we excuſed ourſelves towards him, and let him know in few Words, that we had received his Majeſty's Orders, not to receive any Meſſage from, or tranſact any Buſineſs for the *Brandenburghers*, by any third Hand whatſoever. We gave him the Reaſon why his Majeſty had ſo commanded us, that it was, becauſe his Majeſty being moſt zealous to further the publick Negotiations of this Place all that in him lay, had, notwithſtanding the Difficulty between us and the *Brandenburghers* about the Counter-viſit of Ceremony, not only left us at Liberty, but commanded us expreſly to give the *Brandenburgh* Ambaſſadors our Offices in any Thing that ſhould concern the Mediation, or the Aſſembly, as freely and as readily as if there were no Controverſy about the Re-viſit or Treatment of thoſe Ambaſſadors depending; and that we ſhould leave that Controverſy to receive its Deciſion in due Time: That we had, by the Favour of the *Daniſh* Ambaſſador, communicated to the *Brandenburgh* his Majeſty's Pleaſure, and our Readineſs in this Service: That the Return we had received, was not ſuch as his Majeſty expected to a Step of this Kind, made by his Order; for that tho' the firſt Reſolution theſe Ambaſſadors had taken, as M. *Heugh* had inform'd us, was ſuch as might have brought us to cloſe together in the publick Negotiations, yet the Anſwer that we had was, that they could not accept of our Offices, nor enter into the Way of Commerce that we had propoſed till they ſhould receive Orders ſo to do.

COUNT *Kinski* appeared to be much ſurprized at this Anſwer of ours; *firſt*, he ſaid, our refuſing to exchange the Powers with him, was the refuſing his *Imperial* Majeſty's *Entremiſe* in the Behalf of an Elector. This he ſaid, he was very confident the King our Maſter would be pleaſed not to refuſe, the Emperor having a Right to treat for all Electors; that he had done ſo at *Munſter*; that we ſhall ſee, in the Proceſs of this Treaty, as he told us, that other Electors, as well as the *Brandenburgher*, will treat under the *Imperiale Ambaſſade*, theſe were his Words.

TO this we anſwer'd, that the King our Maſter did not, indeed could not poſſibly know, at the Time he gave theſe Orders, that he (the Emperor's Ambaſſador) had begun to concern himſelf in the Affairs of the *Brandenburghers*; and we told him, that the Refuſal which the *Brandenburghers* had made of our Offices, was a good while before he, Count *Kinski*, firſt ſhewed and declared himſelf entruſted to manage their Affairs.

ANOTHER Thing he ſaid was, that the Reſolution of putting the *Brandenburgher*'s Affairs into his Hands, was taken in an Aſſembly of the whole Alliance; and that the taking their Affairs out of his Hands, would be the refuſing of a Method, and of a Truſt, that the whole Alliance had directed him in.

WE told him, his Majeſty could not poſſibly be informed of any ſuch Reſolution at the Time he gave us his Orders; that the refuſing the Temperament which his Majeſty had offer'd, which was done a good while before their Affairs were committed to M. *Kinski*, was the Cauſe that he did not think fit to admit of this Method of treating their Affairs by a third Hand.

HE parted with us, ſaying, this would unavoidably bring an *Accrochement* upon the whole Negotiation; that he was very ſorry for the long and ill Conſequences this Incident would have, and ſo took leave of

us

us with great Diſſatisfaction, as we thought, and went ſtraight from us to the *Brandenburghers*.

On *Tueſday*, after we had done our Offices in exchanging the Inſtruments between the *French* and *Don Pedro Ronquillo*, we had an Hour taken at my Houſe, the Lord *Berkley*'s, in the Name of all the Allies, who had aſſembled that Evening in their uſual Meeting Place, upon Occaſion, it ſeems, of the Refuſal we had made to Count *Kinski* the Day before, of our Offices towards the *Brandenburghers*. Thoſe that came to the Conference with us, were the Count *Kinski*, M. *Heugh*, and M. *Beverning*. M. *Kinski* brought in his Hand a great Bundle of Inſtruments and Papers, far greater to our ſeeing than thoſe that might concern the Ambaſſadors of *Brandenburgh* alone in the Exchange. He began to tell us, the great Reſpect the whole Alliance had to his Majeſty's Mediation, and the Joy it gave to them, to ſee his Majeſty carry it on with ſo much Zeal and ſo much Glory; that he, and the two other Ambaſſadors, were now come, in the Name of the whole Body of the Allies, to deſire our Offices in going thro' with the Exchange we had begun to make, between them and their adverſe Parties; that he had in his Hand ſeveral Inſtruments and Papers, that concerned the Allies; that he now offer'd them to us, and deſired our Offices upon them. He told us, there were among thoſe Papers ſeveral Inſtruments that they deſired to exchange with the *Swedes*, between whom and the Allies there had been ſcarce any Thing done yet by Way of Exchange, and therefore again deſired us, to further that Matter, and every Thing elſe that lay between the Parties, and the finiſhing of the Preliminaries. He did not yet name the *Brandenburghers* at all, but concluded with telling us, how much the Peace of Chriſtendom was concerned, that the Preliminaries be diſpatch'd, and the Propoſitions for Peace entred into.

To this we anſwered, that we were moſt ready to go on in our Offices, and to continue thoſe Inſtances we had uſed with the *Swedes*, upon the Difficulty that is particular to them, and ſo to go on in the diſcharging of our Devoirs, in all the other Parts of our Function, with all Care and Diligence.

To this he replyed, that they were not only their Concerns with *Sweden*, that he had in his Hand, but thoſe of ſome of their Allies, that were not yet exchanged with *France*.

Whereupon we told him, that if he meant thoſe of the Ambaſſadors of *Brandenburgh*, we muſt take leave to tell him, as we had already done, that we were not to interpoſe our Offices towards them by any third Hand whatſoever, his Majeſty having forbid us expreſly to do it, ſince that his Miniſters having offer'd to negotiate in their Function of Mediators, for and with thoſe Ambaſſadors, to go to their Houſe, and to receive them in ours, as Occaſion ſhould happen; that Offer had been refuſed, and they had excuſed themſelves by M. *Heugh*, who had been pleaſed to charge himſelf with our Offer, ſaying, they could not do it till they had new Orders.

Here M. *Heugh* took up the Diſcourſe, and taking notice that his Name had been brought into Queſtion in this Affair, gave an Account how I, Sir *Leoline Jenkins*, had acquainted him with the Permiſſion we had had from his Majeſty; and had deſired him to acquaint the *Brandenburghers* with the Facility we were allowed to give to that Part of the Negotiation: That he had acquainted them accordingly, and that they had given him Commiſſion to let us know their Acceptance of it; but that ſoon after (and before he could come to ſpeak with me, tho'

he had been at my Houſe while I was Abroad) M. *Blaſpiel* had come to his Houſe, and given him to underſtand, that the Face of their Affairs was now changed in the Court of *England*; that they were in leſs Hopes of a favourable Reſolution from his Majeſty, and therefore that they could not accept of the Offer we had made them till new Orders.

In the long Diſcourſe he made, his Drift ſeemed to be to gain two Points: The one, that in the Converſation between him and me, there had been no Mention made of treating by a third Hand, and conſequently, that the Meſſage he had brought me, could not be the Ground of his Majeſty's forbidding us to treat by a third Hand.

To this my Anſwer was, that 'twas true, there was not a Word then ſpoken of their treating with us by a third, but I had Reaſon to believe his Majeſty, before he was come to this Reſolution, had taken Notice of the Offices done by a third Hand, (we named M. *Beverning*, then preſent) between them and us, and appeal'd to their Knowledge of what had been ſince done by other Hands, by M. *Heugh*'s, and laſt of all by Count *Kinski*'s.

Another Thing he would have gained was, that tho' he had told me the *Brandenburghers* excuſed themſelves from receiving any Viſit from us, yet that he had not ſaid, that they had abſolutely refus'd to treat with us.

I told him, I could not charge my Memory ſo far as to give Account of Words, whether he uſed the Word *Traiter* or *Negotier*, or what other Words he and I had uſed ſo long ago; the Meſſage I delivered him in my Lord *Berkley*'s Name was, that we were at Liberty to negotiate with them, and to have Interviews between us, they at our Houſes, and we at theirs, as if the Difficulty about the Re-viſit had not happened; and that I underſtood his Return to me to be, that they excuſed themſelves from entring into that Way of Commerce with us, till they ſhould receive new Orders; and to this he was not pleaſed to reply any Thing; but he having thus done, M. *Beverning* began with telling us, the ill Conſequence ſuch an *Accrochement* would have, and deſired us to think of ſome Expedient, whereby the Treaty might not be at a Stand, and their Propoſitions, which were ready, not given in, for Want of us to hand them.

He thought, we ought to make no Difficulty in receiving the Papers that Count *Kinski* offer'd us, tho' the *Brandenburghers* ſhould be concern'd in them, ſince they could not be ſaid to be theirs, but the whole Alliance's; nor that they were now offer'd by a third Hand, it was the whole Alliance that now made the Offer, it was their Hand that now gave us the Papers; and we would not, he hoped, refuſe the doing of any Office that they did *conjointement & en corps* requeſt of us; and where the Allies do appear, or are repreſented in one Body, there they have but one Hand, and that cannot properly be termed a third Hand; thus he laid the Streſs of his Argument. If we ſhould refuſe our Offices, the Buſineſs of the whole Negotiation would be at a Stand; ſince none of them could treat, while any one of their Allies wanted the Faculty (which they are bound to procure each other) to treat their Affairs. Here M. *Kinski* took it up again, and offered his Papers a ſecond Time, in the Name of the whole Alliance, and did it, he ſaid, as their Act.

We told them, nothing that could come from the whole Alliance but ſhould meet with the Regard and Deference due to it from us; only the King our Maſter's Orders having interven'd in the Caſe, we muſt

muſt beg ſome Time to deliberate upon the Matter, and muſt take a Time to ſpeak with our Collegue Sir *William Temple*, (who was abſent, being indiſpos'd, and not coming Abroad) before we came to any Reſolution. This they all agreed to be very reaſonable.

M. *Beverning*, as ſoon as the Conference was up, bemoaned himſelf very much that he had written on *Monday* to his Maſters, that he would the Day following put his Propoſitions into our Hands; but that this preſent Difficulty had *accroched* all again.

When we met to deliberate upon this Matter between us and the *Brandenburghers*, we found ourſelves in a great Perplexity, having his Majeſty's Orders ſo ſtrict on the one Side, not to receive any Thing from them by any third Hand whatſoever; and we ſaw plainly, on the other Side, that if we ſhould refuſe the whole Alliance, the *Accrochement* of the Treaty would be imputed to his Majeſty; which we thought his Majeſty, as the General Mediator, would be unwilling to give Occaſion to. Wherefore by Agreement among us, it was reſolved that I Sir *William Temple*, having not interven'd in what had paſſed (while I was at the *Hague*) between M. *Heugh* and my Collegues, ſhould go (as ſoon as I could poſſibly ſtir out) to Count *Kinski*, and endeavour to diſpoſe him to bring this Matter to a better Iſſue than it promis'd, by getting the *Brandenburghers* to diſown their having refuſed our Offices as Mediators, which had given Occaſion to his Majeſty's Orders to us; or elſe by prevailing with them (which would be the diſowning it in Fact) to meet us at a Conference, which we ſhould demand of the Body of the Allies, in order to give them our Anſwer upon the laſt Meſſage brought us from them.

He made great Difficulties at firſt upon this; alledging, among other Things, it would exclude *l'Entremiſe de l'Empereur*, which had been already admitted between us; but before I came away, he not only took upon himſelf that they ſhould diſown to have refuſed our Offices as Mediators, but withal, as to their meeting us in the Body of the Aſſembly *qu'il y travailleroit*, and that he would come himſelf, and give me an Anſwer upon it; which we have expected ever ſince, but doubt it will not come before the cloſing of this, in regard the Meeting of the Allies was not till 11 this Morning.

M. *Beverning*, as he went to the Aſſembly, came to my Houſe Sir *William Temple*, where he found alſo Sir *Leoline Jenkins*; he told us, (upon Occaſion of what you will find an Account of in our Diſpatch of the 29*th* of *January*) that the *Brandenburgh* Ambaſſadors declared they had given him and his Collegues no Orders to acquaint us, that they could not meet us in a third Place; and that he, for his Part, (to avoid Conteſts upon it) was willing to take the Fault upon himſelf; for tho' the Thing was ſpoken, yet the Aſſembly riſing in ſome Confuſion, he was not certain whether he had Orders to tell us that Particular or not. He told us, that being yeſterday to return a Viſit to M. *d'Eſtrades*, he had met the other two *French* Ambaſſadors there, and that in a long Converſation they had together, they told him, they were ready to give in their Pretenſions as ſoon as ever the Preliminaries were over.

Last Night the Powers of *Denmark* to treat with *France* were ſent into our Hands, they are in *Latin*, which quite removes that Difficulty; ſo that beſides the Difficulty between us and the *Brandenburghers*, we ſee none remaining, except it be that about the *Swedes* Reſervatory Act, which none of the Allies (unleſs it be the *Dutch*) will receive or admit of.

Last

Last Night M. *d'Olivenkrantz*, in a particular Viſit he made me Sir *Leoline Jenkins*, diſcovered ſome Apprehenſions, that a particular Peace may be made up between the *French* and the Allies, while the *Swedes* are in their preſent Straits, of not being able to have Recourſe by Couriers to the King their Maſter; and that when the *French* and their Adverſaries are come to an Adjuſtment, ſuch as they may make the Peace upon, the *Swedes* ſhall not be able to do it, for Want of knowing their Maſter's Pleaſure; but theſe Ambaſſadors may receive for an Anſwer, that they cannot be ſtay'd for, and ſo a Peace clapt up without them. They have no Letter from their King ſince *Sept.* the 2 *d*, and the *French* are very cloſe towards them, as to what they intend to propoſe or demand.

M. *Stradtſman*, the third *Imperial* Ambaſſador, hath been ſome Days come to Town, but we as yet hear nothing of him. We remain ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 19th Feb. 1676-7.

Right Honourable Sir,

Our laſt was of the 15*th*, ſince which we have not any from you to acknowledge.

Having on *Thurſday* Night received a Meſſage from Count *Kinski*, whereby he left it to our Choice, at what Hour next Day we would give the Allies a Meeting, and being aſſured by his Secretary at the ſame Time, that the *Brandenburgh* Ambaſſadors, among others, would be at his Houſe, we appointed 11 on *Friday* Morning, and met them at Count *Kinski*'s.

We found Meſſieurs *Ronquillo*, *Heugh*, *Beverning*, and *Blaſpiel* there aſſembled, (M. *Somnitz* being, as we have heard ſince from ſeveral Hands, not able to come Abroad) and told them, we were come to receive thoſe Inſtruments they intended to put into our Hands, aſſuring them, we would uſe our Diligence, as they had deſired us, in making the Exchange, as likewiſe in performing thoſe Offices they deſired of us towards the *Swedes*, to diſpoſe them to diſpatch their Inſtruments in the ſame Form with the other Parties. M. *Kinski* upon this gave us his own Inſtruments to be exchanged with *Sweden*, he gave us alſo the *Brandenburgh* Inſtruments, both old and new, to be exchanged with *France* and *Sweden*.

These Papers being thus delivered us, our Diſcourſe was upon the great Difficulty about the *Swediſh* Couriers. M. *Heugh* took it up, and ſaid, that he had no Manner of Commiſſion to go beyond the Offers he had already made, of ſeveral Ways to give Eaſe in that Point: Beſides, the Obligations his Maſter was under to *Spain*, as an Ally, would not permit him to do more, till the *French* ſhould do more for *Spain*; which gave Occaſion to *Don Pedro Ronquillo* to ſpeak his Grievance, for Want of a Liberty for Couriers Extraordinary.

From this Conference we went to the *Swedes*, but found them not to be diſpoſed to a Temperament, that all Parties (particularly the *French* of their own Side, and the *Dutch*, who are very much their Friends in this Caſe) thought reaſonable to be admitted. It was, that they ſhould make the 60 Days in their Act obligatory, to begin to run

at

at the $\frac{4}{14}$*th* of *February*, (as all other Parties do) and to content themſelves, in lieu of having their Proteſtation preſſed by us upon each of the Parties, that it ſhould lie lodged in our Hands, and go no further.

THIS we find they might poſſibly have been brought to at firſt, but now they having preſs'd it upon Count *Kinski*, and it having been received by M. *Beverning*, they would not change. Beſides, they ſay, if they cannot upon this Occaſion get the Way open for their Couriers, it will ever hereafter be ſhut againſt them; and when they ſhall demand, upon another Incident, that they may ſend an Expreſs to their King, they expected to be anſwered, that they ſhould content themſelves with the ſame Means they have uſed to procure theſe Powers.

FROM the *Swedes* we went to the *Dane*, upon a new Incident, (for that about the *Daniſh* Language is over between him and the *French*) it is this: After that the King of *Denmark* hath named C. *Anthoine* and M. *Heugh* his Ambaſſadors Extraordinary and Plenipotentiaries, by his *Plenipouvoir*, he adds theſe Words, — *Iisq; Dep^um noſtrum Conſiliarum adjunximus* — Simonem de Petcum — *Quibus proinde committimus & ſpecialiter mandamus, ut ſe ad dictam urbem conferant, ibiq; Colloquia, ſive directè ſive interveniente operâ — Mediatorum — inſtituant cum Regis Galliæ Legatis:* — But when he names the *Quorum*, he ſays, — *Damus quoque plenam & abſolutam poteſtatem cum omni authoritate — ſupradictis noſtris Legatis Extraordinariis & Plenipotentiariis, ſive duobus conjunctim, ſive uni ſoli, altero abſente vel impedito — Pacis Tractatum pro Nobis — ineundi, concludendi, & ſignandi,* — and to do all Things elſe as the King himſelf might have done; and ſo in the Clauſe for ratifying, they two, or one alone, is a *Quorum*.

TO this the *French* except, that there was never known an Adjunct named in a *Plenipouvoir* before, of a different Character and Power from the others. Another Thing the *French* ſay, that M. *Petcum*, by this Clauſe has Right to enter into Conferences with them, (the *French*) and with the Mediators too, which is a Style they cannot admit of in one that is no Plenipotentiary. Beſides, if he do aſſiſt at Conferences, it may hereafter be pretended, that he ought to have ſigned, which it ſeems is not meant by the naming of the *Quorum*; however the Validity of the Treaty may hereafter be called in Queſtion, the King may notwithſtanding make what Uſe of him he pleaſes with the Ambaſſadors, and give him a Commiſſion apart with or without a Character.

TO this M. *Heugh* anſwered us, it was not in his Power to leave out M. *Petcum*, his Orders from Court being expreſs to enter him as he is in the ſame Power. So that we do not ſee any Help in this Difficulty, till it come from *Denmark*.

YESTERDAY in the Afternoon we ſent to take an Hour of the Allies, in order to make thoſe Exchanges that lay upon our Hands, and to give them an Account of what we had done by Way of Offices towards their adverſe Parties; but the Hour they have given us is not till 4 this Afternoon, by which Time the Poſt will be gone. We remain ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen,

Nimeguen, 22th Feb. 1676-7.

Right Honourable SIR,

OUR laſt was of the *19th*, ſince which we have the Favour of yours of the *13th* to acknowledge; and we humbly thank you for thoſe freſh Aſſurances it brings, of our being within your Care, as to our being inſtructed how to govern ourſelves, in caſe the Parties come, when the Preliminaries are over, to make ſeparate Steps in the main Buſineſs. By the Advances this Day's Diſpatch gives you an Account of, you will ſee how ripe we are for that Favour, eſpecially when you ſhall pleaſe to reflect upon what the *Dutch* Ambaſſadors have more than once told us, that when the Propoſitions are once given in, 'tis the Meaning of their Maſters, that theſe Ambaſſadors ſhould be left to themſelves, and ſo *un chacun à demêler ſes propres Affaires.*

ON *Monday*, as ſoon as the Poſt was gone, we divided ourſelves, and made the Exchanges that we told you of in our laſt lay upon our Hands. There was no Difficulty in this Work, ſaving with the Allies; for they did at firſt refuſe the *Swediſh* Act obligatory, becauſe there was no Term in it prefix'd for the 60 Days to begin to run; but at laſt they came to this Temperament, that their Acts obligatory relating to the *Swedes* ſhould run in the ſame Manner, and the Words, *à data præſentium numerandorum*, be raz'd out in the Inſtruments of the Allies, ſince the *Swedes* had on Purpoſe left them out in theirs. In this Exchange M. *Blaſpiel* was not at all ſhy to manage that Part he had in it, doing it with his own Hands, and not by the Intervention of M. *Kinski*.

Don Pedro Ronquillo being preſent at this Conference, inſiſted that the *Swedes* ſhould accept of his Powers in *Spaniſh*, and give him theirs in *Latin*; the chief Reaſon was, becauſe the *Swedes* do treat in that Manner with the *French*; he alledged likewiſe his Majeſty's Example in the laſt Treaties, (that of 1667, and the Marine Treaty in 1670) the *Plenipouvoirs* for both which, he ſaid, were on the *Engliſh* Side in *Latin*, and on their Side in *Spaniſh*; and yet when the King of *Spain* writes to his Majeſty, he does it in *Latin*; which he thought might ſerve for an Anſwer to what the *Swedes* Ambaſſadors ſay, of ſome Letters that have of late gone from *Spain* to *Sweden* in *Latin*; which Letters they make their main Ground whereon to demand the *Spaniſh Plenipouvoirs* likewiſe in *Latin*. However, we do not find any Means to reconcile theſe two Parties, ſince both of them ſay they cannot quit their Point without new Orders; and *Don Pedro* is ſo much the more concern'd now not to loſe his Point with *Sweden*, ſince the *French* have gain'd theirs with the *Dane* in this very Caſe.

THE Exchange being over, M. *Kinski* made a ſolemn Declaration, in the Name of all his Allies, that they were each of them ready to give their Propoſitions in Writing into the Mediators Hands, provided the Allies of the adverſe Party were ready to do the like with theirs: He therefore deſired us to diſcover, whether they were ready or not; and if we found them to be ſo, that we would name a Day on which all Parties might give in their Propoſitions to the Mediators, but ſealed up, and not to be opened or communicated till we were poſſeſs'd of the Propoſitions of the adverſe Party.

BEING charg'd with this Commiſſion, we acquainted the *French* with it, and the *Swedes* too, that ſame Evening. The *French* at firſt

View

View declar'd, they had their Propoſitions in a Readineſs, and ready written, but were of Opinion, that if the Parties did engage once in Writing, it would be a Buſineſs of endleſs Trouble, and little Advancement towards the Peace; and therefore deſired the Writing, if any ſhould be given, ſhould go no further than the Mediators, for the Help of their Memory, but not at all into the Parties Hands, unleſs it was by Way of Memorial from the Mediators themſelves. But here they ſeemed very willing to draw from us a Judgment or a Declaration, which of both Ways, whether by Word of Mouth, or in Writing, we thought moſt conducing to the End of the Negotiation; in which we excuſed ourſelves, telling them, our Buſineſs to them was no more at that Time, than to lay before them an *Ouverture* the Allies had charged us with; that we ſhould likewiſe, if they (the *French*) ſhould deſire us to carry any Propoſition on their Part to the Allies, be ready to do it. Whereupon they deſired Time till next Day to deliberate of it between themſelves, and with their Allies the *Swedes*. M. *Oxenſtiern*, to whom we made immediately after the like *Ouverture*, deſired the ſame Reſpite.

On *Tueſday* the *French* and *Swedes* Ambaſſadors brought us Word ſeverally, that their Propoſitions were ready, and that they would bring them in to us, if not that Day, yet next Morning; the *French* not leaving any Thing, as we expected, in Charge with us, touching the Manner of proceeding for the future, whether by Way of Propoſition or Memorial, or by Word of Mouth: Of this we gave Count *Kinski* Notice immediately, and he took upon him to communicate it that Night to the Allies.

Late laſt Night we peruſed the ſeveral *Pretenſions* that had been yeſterday put into our Hands (ſome at one Hour, ſome at another of the Day); we put them immediately into Mr. *Chudleigh*'s Hands; but for Fear they ſhould not be ready to go by the Poſt, we take the Liberty, by Way of a Taſte, to obſerve to you:

1. That the *French* ſeem to us to demand nothing of the Emperor and the *Brandenburgher*, but the Treaty of *Munſter*.
2. They demand of *Spain*, to retain whatever they have conquered, becauſe of the Injuſtice of the Breach on the *Spaniſh* Side.
3. Of the States General they make no Demand, but offer the reſtoring of their Friendſhip, and to hearken to a Treaty of Commerce.

On the other Side, the Emperor ſeems to demand in general, the reſtoring all Places, and repairing all Damages ſuffer'd by him and the Empire, as alſo Satisfaction to his Allies.

The *Dutch* demand from *France*:

1. *Maeſtricht* with its Dependencies.
2. Satisfaction to the Prince of *Orange*, in what concerns the Principality of *Orange*.
3. A Reglement of Commerce, and a Renunciation of all Pretenſions that either Party may have upon the other. As for other Demands they might make, they ſay, they ſacrifice them all to the Publick Peace, provided Satisfaction be given to their Allies.

The *Brandenburghers* demand of *France* the Reparation of all Damages.

THE *Spaniards* demand all the Places they have loſt, and all the Damages they have ſuffered by *France* ſince the Year 1665.

The *Swedes* Demands from the Emperor are:

1. THAT the *Weſtphalique* Peace be reſtored.
2. THAT all Provinces, Towns, and Places, which by that Peace do belong to *Sweden*, be reſtored, with their Dependencies, and put into the ſame Condition they were in before the War.
3. JUST Satisfaction for Damages.

FROM the Elector of *Brandenburgh*, the ſame in the very ſame Words.

FROM the *Dane*:

1. THAT the Peace of *Copenhaguen* be reſtored.
2. THAT what the *Dane* has taken from the *Swedes* in the Empire, be reſtored to the Terms of the *Weſtphalique* Peace.
3. THAT the Provinces, Towns and Places whatſoever that belong to *Sweden*, either by the Treaties of *Copenhaguen*, or *Weſtphalia*, be reſtored, with their Dependencies, and put into the ſame Condition they were in before the War.
4. JUST Satisfaction for the Damages and Expences of the War.
5. FULL Security for the future.

FROM the States General:

1. THAT the Treaties and Commerce be reſtored as they were before the War.
2. THAT all Places whatſoever that have been taken from the *Swedes*, by the Aſſiſtance of the *Dutch*, (whether in Military Forces or in Money) be reſtored.
3. THAT the Damages which the *Swedes* have ſuſtained, whether Publick or Private, be repaired.

FROM *Spain*:

1. THAT the King do, as he is a Party in the War, procure the Places that are taken from *Sweden*, to be reſtored them.
2. THAT he give Satisfaction for Damages and Expences.

THE Emperor demands from *Sweden*:

1. THAT to the Emperor, the *Roman* Empire, and all the Confederates, Satisfaction be given.
2. THAT the Damages ſuſtained be fully repaired.
3. THAT convenient Ways and Means be thought on, to prevent future Difference, as the Particulars ſhall be ſpecified hereafter.

THAT which the *Brandenburghers* deſire is not ſo clear:

1. THEY ſay, if an equal Peace be to be made, *Sweden* muſt ſatisfie and indemnify *Brandenburgh*.
2. THAT it is in vain to make a Peace, unleſs it be provided in the firſt Place that it be ſure.
3. THAT *Sweden* had a great Part of *Pomerania* yielded to it for Peace Sake, but that the Elector finds it to be made the Opportunity of a War againſt him; and that unleſs he be freed from the perpetual Occaſion of being in Arms, he can have no Peace.

4. THERE-

4. THEREFORE that he deſires his Majeſty, as Mediator, to procure him that which is equitable and ſecure.

5. THAT the further Explanation of this is reſerved, and eſpecially the inſiſting upon Satisfaction for the Elector's Allies.

THE *Dane* demands from *Sweden*:

1. THAT all Things be reſtored into the State they were in between thoſe two Crowns, before that War broke out, which ended by the Treaty of *Brumsbroo*; ſo that all Places that have been ſince taken from *Denmark* be reſtored, and that the Exemption that the *Swedes* have granted them from Toll by the Treaties of *Brumsbroo*, *Roſchild*, and *Copenhaguen*, be made void, and the Tolls return to the Crown of *Denmark*.

2. THAT the *Swedes* be deprived of what they have by the *Weſtphalia* Peace, ſo as *Brandenburgh* have all in the Dutchy of *Pomerania*, the Iſle of *Rugen* (which ought to return to *Denmark*) excepted.

3. THAT the Dutchies of *Bremen* and *Verden* be divided among the Confederates, *Wiſmar* excepted, which ought to come to the *Dane*.

4. THAT all Monopolies which the *Swedes* have ſet up in the Coaſts of the *Baltick* Sea, be aboliſh'd.

5. THAT the *Dane* may have Garriſons in the Frontier Places between him and *Sweden*, but that the Revenue of thoſe Places remain to the *Swedes*.

6. THAT nothing of this will ſerve Turn, unleſs his Allies have full Satisfaction.

7. THAT the *Daniſh* Ambaſſador reſerves to himſelf, to explain and exchange theſe Propoſitions, if the *Swedes* make any Delay upon them, as the State of Affairs ſhall bear.

THE States General demand from the *Swedes*:

1. THAT they are ready to enter into a Peace with *Sweden*, provided it be General, and comprehend the Intereſts of their Allies.

2. THAT in the Treaty that is to be made, there be Rules and Means ſet out, to prevent the Inconveniencies that are uſed to ariſe about the Rights of Commerce and Navigation.

THUS you have an Account (tho' a very imperfect one) of the Propoſitions of all the Parties here, which were yeſterday and laſt Night (ſome of them at 11 at Night) brought to us: Only we have a Propoſition from *France* to *Denmark*, which we do not give you an Account of, becauſe we have none from *Denmark* to *France*: The Reaſon M. *Heugh* hath given this Morning for it is, that the War between thoſe Crowns being not yet declared when he came from Home, he was not inſtructed, but would write for Inſtructions, if he might ſee the *French* Propoſition, which yet we are forbid to communicate before his be in.

WE have a Propoſition handed to us likewiſe by Count *Kinski*, from the Duke of *Lorain*; but we have not open'd it, in Regard that we have nothing for him from *France*. We likewiſe want the Propoſition of *Spain* to *Sweden*.

THIS is the beſt Account we are able to give, upon once reading of the Propoſitions. You'll have as many of them at large, as Mr. *Chudleigh* will be able to diſpatch by this Poſt; and for the reſt, we muſt deſire your Patience till the next. We remain, ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.
Nimeguen

Nimeguen, 26th Feb. 1676-7.

Right Honourable SIR,

SINCE our laſt, which was of the 22*d*, we have the Favour of yours of the 20*th* to acknowledge; and therein we obſerve and humbly thank you, that notwithſtanding your great Applications, and the Parliament ſitting, you are pleas'd to take ſpecial Care to inſtruct us in his Majeſty's Pleaſure upon ſeveral Points depending here.

WE told you in our laſt, how that the Demands of ſeveral Parties and the Counter-Demands were in our Hands: We may now add, we are poſſeſs'd of them all, and have exchanged them, thoſe between the *Spaniard* and the *Swedes* excepted; in the Exchange of which, being later than the reſt come to our Hands, we do not foreſee any Difficulty.

'TIS true, the Allies have made a Difficulty to retain thoſe Pretenſions of *France* and *Sweden* upon them, that we had left with them on *Friday* Night laſt; the Pretence was, becauſe that they having given a Propoſition for the Duke of *Lorain* into our Hands, did not find a *Contre*-Demand to it, among the Propoſitions we had left with them from their ſeveral Adverſaries.

THE Reaſon why the *French* refuſed to give any *Contre*-Demand was, becauſe there hath no Plenipotentiary or *Plenipouvoir* as yet appear'd here for that Duke; and their Anſwer is, that themſelves being within the Forms, and the Duke not yet come into them, they will then give an Anſwer touching his Pretenſions, when they ſee a Hand authoriſed to give them in.

THE Allies are not yet acquainted with this Anſwer and Reſolution of the *French*; however, they are it ſeems ſenſible, that they ought not to have returned the Pretenſions of their Adverſaries (after the Exchange made) into our Hands, which it ſeems was the Occaſion that they did laſt Night come and re-demand thoſe Pretenſions again from us, but have appointed us ſo late an Hour this Day to meet them, that the Poſt will be gone before we can come to know what they will further ſay or do: But M. *Beverning* having already called for the Pretenſions againſt his Maſters that lay in our Hands, (himſelf being out of Town on *Friday*, when we delivered to the other Allies thoſe that concerned them) and having delivered his Opinion, that the Allies were to blame to back thoſe Propoſitions we had left with them, we cannot think that they will do otherwiſe now, than receive them upon their own asking; tho' the Anſwer of the *French* touching the Duke of *Lorain* is not like to pleaſe them.

WE take Leave to obſerve to you, that on *Friday*, upon Notification from M. *Stradtſman*, we made him our Viſit of Ceremony, in which paſſed nothing but what is uſual.

A Gentleman of the Barony of *Breda* came hither Expreſs, to deſire us, by Way of Office and Recommendation to the Intendants and others, to endeavour to get the People in that Barony eas'd in the exceſſive Contributions that *France* demands from them at this Time. This Gentleman's great Reliance was upon his Majeſty's Clemency and Goodneſs for that People, eſpecially ſince he had paſſed ſome Time among them; and they hoped, that his Majeſty may do them the Honour, as not to have yet forgot, that they were a People to the utmoſt that lay in them, full of Duty, and zealous for his Intereſt.

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THE *French* Ambaſſadors upon the Offices made towards them, anſwer'd in this, as they do in all the like Caſes, their Commiſſion related not to the War, but to the Peace.

M. *Spanheim* made the like earneſt Requeſt in the Name of his Highneſs the Prince Elector *Palatine*, that his Majeſty would ſo interpoſe his Offices with *France*, as to ſave thoſe Territories that are moſt expoſed, from the Fire and Deſolation that is in his Neighbourhood.

AND on *Friday*, Count *Naſſau*, the Lieutenant General of the *Cavallerie* here, made the like Requeſt in Behalf of his elder Brother and himſelf, his Brother having had 30 Villages already burnt down in that Country, and the reſt of it being expos'd.

OUR Collegue, Sir *William Temple*, does not ſign this Diſpatch, he having made on *Saturday*, upon an Expreſs from his Highneſs the Prince of *Orange*, an Excurſion as far as *Soeſdyke*, whence we do not expect him till late this Night, or ſome Time early to Morrow. We remain ever, *&c.*

J. Berkley.
L. Jenkins.

Nimeguen, 1ſt March, 1676-7.

Right Honourable SIR,

SINCE our laſt, which was of the *26th* paſt, we have none from you to acknowledge.

THAT which we are to add to it is, that on *Monday*, at five a Clock, Meſſieurs *Stradtſman*, *Ronquillo*, *Heugh*, and *Blaſpiel*, being met at Count *Kinski*'s, took back again from us, each of them, the Pretenſions of *France* and *Sweden* againſt their reſpective Maſters, which they had on *Friday* laſt returned into our Hands, nor did the Anſwer the *French* had given us touching Counter-Propoſitions for the Duke of *Lorain*, make them demurr to take back their Papers, tho' the Occaſion of their bringing us thoſe Papers back again, was pretended to be, the not having a Counter-Propoſition for *Lorain*, as well as the reſt; and tho' the Anſwer we brought them from the *French*, was very little ſatisfactory to them, it being the ſame we told you of in our laſt.

ON *Tueſday*, Meſſieurs *Kinski* and *Beverning* having taken an Hour of us for a Conference, their Buſineſs proved to be, to repreſent to us, that the *Plenipouvoirs* and the Pretenſions of the ſeveral Parties being now given in, and exchanged on all Hands, and thoſe of *Brandenburgh* among the reſt; they (Meſſieurs *Kinski* and *Beverning*) had an Office to paſs towards us, in the Name of the Body of the Alliance, but in the Behalf of the *Brandenburgh* Ambaſſadors.

IT was, that in Regard the frequent Occaſions thoſe Ambaſſadors would have from henceforward to have Recourſe to us, upon the Subject Matter of the Propoſitions and Pretenſions that related to their Maſter, it did concern them very much to have the Difficulty now depending between them and us taken away, to the End, their Recourſe to us, and our coming to them, might be free, and without Embarraſs, as it is between us and all other Parties. That the Queſtion hath now depended a good while, and that we may have of late remarked in the Carriage of the *Brandenburghers* towards us, that there was no Ground for thoſe Prejudices, that may have been endeavoured to poſſeſs his Majeſty with againſt them, in Regard they have of late made uſe of our Offices in the Exchange of their Papers, and have appear'd among other their

Allies

Allies ſeveral Times to meet us, which was a ſufficient Evidence, that they did not refuſe his Majeſty's Mediation, nor decline to come where we were.

COUNT *Kinski* ſaid particularly, that for his Part, he is now ſatisfied it may be fully made out, that the ſecond Ambaſſadors of *Brandenburgh* had that Treatment at *Munſter*, which they pretend to here. But that which he relyed upon, as moſt likely to move his Majeſty in this Caſe was, that it is certain, there is no where, but in the Empire, any ſuch Thing in Uſe as a Treatment that diſtinguiſhes between the firſt and ſecond Ambaſſadors, but that all Members *d' un Corps d' Ambaſſade* are equally, and alike treated in all other Courts and Places of Chriſtendom. That now his *Imperial* Majeſty having taken away that Difference in the Empire, and other Crown'd Heads having given in to his Example, it was very much his Hopes, his Majeſty would, out of his great Equity, not deſire to keep up that Diſtinction, when the Emperor, from whom it took its riſe in the Empire, had conſented (and with him other Crown'd Heads) to have it quite taken away from henceforward. The Cloſe of this Conference was, to deſire us, as they did very earneſtly, to repreſent to his Majeſty, the great Conveniency there would be of a favourable Reſolution in this Point, that thereby the *Brandenburghers* might have a freer Acceſs to us than now they have, and we to them.

WE told them, we did not apprehend there was any Bar between us, as to the Freedom that was neceſſary for Buſineſs, ſince his Majeſty had allow'd us to go on in doing the Offices of our Function, leaving the Queſtion of Ceremony ſtill to depend; and conſequently, that M. *Somnitz* at leaſt might come to us, and we go to him, as the Occaſion ſhould require, without any Conſequence, as to the Controverſy between the two Embaſſies.

WE repreſented likewiſe to them, how buſie a Time it was now at Court, and minded them of what we had ſeveral Times told them before, that his Majeſty, as Mediator, had reſerved to himſelf, to declare his Judgment one Way or other, the laſt rather than the firſt, in Caſes of this Nature.

THAT which they made their Deſires, repeating it ſeveral Times, was, that we would repreſent to his Majeſty, the Occaſion that now preſſes the *Brandenburghers*, to deſire his Majeſty's Reſolution one Way or other in the Point. Which we thought we could not refuſe to do, notwithſtanding that we find, by a Copy of a Letter of the *Brandenburghers* to M. *Schwerin*, (which we had the Favour to receive incloſ'd in yours of the 20*th*) we are not ſo fairly dealt with by thoſe Ambaſſadors. For we have recollected ourſelves all that we have been able, of what paſſed between us and M. *Beverning* relating to them; and not one of us can call to Mind, that there was one Word ſpoken of the Treatment of *Excellencies* to be omitted towards us, which is all we can ſay by Way of Reply to ſo extraordinary an Aſſertion.

ONLY we agree with them, that there was a very long Converſation between us, and M. *Beverning* and his Collegue, on the 25*th* of *January*, and of it you have a very exact Minute, which proves likewiſe to be a very long Account in our Letter of the 29*th* following, and by it you will ſee, as there was nothing in that Converſation (for there are ſeveral rough Paſſages in it) that we ſhould ſo forget ourſelves as is ſurmiſed; ſo we tell the *Dutch* Ambaſſadors very expreſly, we could think of no Expedient, beſides the Uſe of that Permiſſion which his Majeſty had already given us, which was, not to decline the Offices of

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our Mediation, notwithſtanding the Diſpute between us. But how high the *Brandenburgh* Ambaſſadors have been, notwithſtanding they are come to ſomewhat a ſofter Note of late, is beſt ſeen in the Account they themſelves have given M. *Schwerin* of their having told the Allies, *Que tant que l'on ne ſatisfaiſoit point à S. A. Electorale ſur le traitement de ſon ſecond Ambaſſadeur il étoit impoſſible de voir les Mediateurs en public, ou en particulier de les charger de quelque choſe.* — And again, — *Si on ne donnoit point Contentment à ſon A. Electorale ils ſeroient obligez de rompre le traité.*

But as there was nothing in our Converſation with the *Dutch* Ambaſſadors about the Title of *Excellencie*, ſo there was nothing (which is a Surmiſe of the ſame Nature) of uſing the Expedient for three Weeks or a Month; that was a Propoſition we had never heard of then, and it ſeemed very ſtrange to us, when we heard it made ſome Days after by M. *Kinski*. But we know not what other Anſwer to give ſuch Aſſertions, but humbly deſire they may be compared with thoſe Relations we made when Things were freſh, of what paſſed between us and others; in which it hath been our conſtant Endeavour to omit nothing that is material to the Buſineſs in Hand.

As to the Treatment of one that is barely a Plenipotentiary, (which is another Thing of which you are pleaſed to require ſome Account of us in yours of the 20*th*) we can ſay little from any Thing that we have heard argued *pro* or *con* among the Parties here. *Don Pedro Ronquillo* did at firſt tell us much of a *Protocoll* in Count *Kinski*'s Hands, whereby it appeared, that the *Imperial* Miniſters at *Munſter* were no more but *Plenipotentiaries*, not *Ambaſſadors*; and yet that their Treatment was in all Things like that of Ambaſſadors; but he hath not been pleaſed to procure us a Sight or Extract of it.

For the Treatment of thoſe Miniſters, there is little Doubt but that it was as he ſays; but whether they were Ambaſſadors as well as Plenipotentiaries, is a Queſtion that we are enquiring after; for it is true, there are two printed Copies of the *Imperial Plenipouvoirs* (one in 1642, the other in 1645,) and in neither of them are they ſtiled *Ambaſſadors*, yet in the Body of the *Inſtrumentum Pacis* that they made, they are called *Ambaſſadors*, which we know not yet how to reconcile; but ſhall be ſure to give you an Account of every Thing we can attain to upon this Subject.

The Reflexion the *French* made upon the Sight of *Don Pedro Ronquillo*'s Original *Plenipouvoir* was, that however a Plenipotentiary, ſimply ſo declared, might have ſome Pretence to demand a Treatment like to that of Ambaſſadors, ſince it had been once made a Queſtion, yet that in *Don Pedro*'s Caſe, it would bear no Diſpute, in Regard the King his Maſter ſtiles him in his *Plenipouvoir* to this Place, but his *Envoyé Extraordinaire* in *England*; ſo that his Treatment is limited, ſay they, to that Quality. But it is not ſo likely that this Queſtion will be ſtirr'd again about *Don Pedro*, in Regard, 'tis probable, he will defer his appearing in publick till his new *Plenipouvoir* comes, which ſtiles him Ambaſſador Extraordinary as well as Plenipotentiary. We remain ever, *&c.*

J. Berkley.
L. Jenkins.

A ſon

A ſon Alteſſe Sereniſſime M. le Duc *de Lorraine.*

à Nimégue ce 3me Mar. 1676-7.

MONSIEUR,

NOUS avons reçeu l'honneur que Vôtre Alteſſe nous à fait par ſa Lettre du 19 du Mois paſſé, laquelle nous a eſté miſe entre les mains avec les Pretenſions de V. A. contre la *France*; nous ne doutons pas que Meſſieurs les Ambaſſadeurs aux quelles elles ont eté adreſſéez n'ayent rendu conte a V. A. du refus que Meſſieurs les Ambaſſadeurs de *France* ont fait de les recevoir, auſſi bien que de donner les Contre-pretenſions de la *France*; ſe fondants ſur ce que perſonne n'avoit encore icy parüe munie d'un Pouvoir ſuffiſant de la part de V. A. C'eſt pourquoy nous avons retenu les Pretenſions de V. A. entre nos mains ſans en avoir ouvert le Pacquet, ce que nous fairons tout auſſi-tôt que nous verrons jour à en Pouvoir faire l'Echange ſelon l'intention de V. Alt. Cependant nous la ſupplions de Croire, que ce ſera avec beaucoup de Joye que nous obeïrons aux Ordres que nous pourrions recevoir de ſa Majeſté le Roy nôtre Maître, touchants les Interêts de vôtre Alteſſe; Et que nous Embraçerons les Occaſions à luy témoigner le Reſpect & la Paſſion, avec laquelle nous ſommes, MONSIEUR, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 5th Mar. 1676-7.

Right Honourable SIR,

SINCE our laſt, which was of the 1*ſt* Current, we have none from you to acknowledge.

THE next Day the Ambaſſadors of the Allies came to us, and told us, they had received Orders from their Maſters, to repreſent to us the great Violences and Extremities into which the *French* had lately begun to carry the War; which, inſtead of diſpoſing the Spirits of the ſeveral Parties to a Peace, were likely to produce greater Sharpneſs amongſt them, if not prevented by the Offices of his Majeſty, as Mediator; they ſaid, the late Actions of the *French* Troops between the *Saar* and the *Rhine*, were of a Strain never yet practiſed among Chriſtian Princes, the Executions being made, and the whole Country burnt, not only where Contributions had been ſettled and paid for ſeveral Years, but where they had been lately advanced till *Midſummer* next. After this, they proteſted in the Name of their Maſters, that in caſe of Change of Fortune in the War, they ſhould, by Way of Return, exerciſe the ſame Meaſures towards *France*; that it was a Thing very far from their own Diſpoſitions, and to which they ſhould only be forced by the Examples of *France*, and by the Neceſſities of the War, which could not be carried on without a *Jus Talionis* between the Parties. They deſired us we would take Notice of the Day wherein they made us this Declaration, and repreſent the Thing both by our Letters to his Majeſty, and by our Reports to the *French* Ambaſſadors.

ON

On *Saturday* we gave an Account of this Conference to the *French* Ambaſſadors, who, after ſome private Conſultation together, gave us this Anſwer: That they were not here to enter upon Conſiderations of the Ways or Manner of carrying on the War, but to receive any Propoſitions that ſhould be made towards the Peace; that if they ſhould enter on both Sides into thoſe Complaints, they, the *French*, ſhould have as much to ſay of that Kind as their Adverſaries; but they thought it was not their Parts of the one Side, or of the other: And that every Prince that was engaged in a War, made it after his own Manner, and took what Advantages he thought fit, and was to run the Hazard of a Return upon any Change of Fortune.

This was the Sum of a great deal of Diſcourſe they made us upon this Matter: Amongſt which we obſerved one Paſſage, wherein they particularly juſtified this kind of proceeding againſt *Spain*, by ſaying, they had begun the War againſt *Holland honnêtement*, and that indeed they had not begun it, but followed his Majeſty in it, and had not purſued ſo, till *Spain* invaded them by the Attempt of *Charleroy*, againſt their Treaties; and that thereupon his Majeſty himſelf had declared the *Spaniards* the Aggreſſors in this War.

Upon *Sunday* we gave an Account to the Allies of what Return the *French* Ambaſſadors had made them; to which they replied no more, but that the Parties at *Munſter* had made the ſame Applications to the Mediators there, which had been better received, and in another Manner than they found they were now by the *French* here; that it was well however their Maſters ſhould know what they were to truſt to in the Courſe of the War.

We have obſerved of late in Diſcourſes of *Don Pedro de Ronquillo* and M. *Beverning*, that the Cauſe of the Allies aſſembling no more in the Publick Room they had formerly uſed, was the Difficulty made by Count *Kinski*, of giving Place to us the Mediators, when we ſhould come amongſt them. We have ſeen them hitherto either at Count *Kinski*'s Houſe, or our own, in neither of which there could be Difficulty between us; but yeſterday, the Hour being given us at M. *Heugh*'s, I Sir *William Temple* (in my Lord *Berkley*'s Abſence) went up ſtrait to the Place where the firſt Chair ſtood; but Count *Kinski* ſtanding cloſe by it when we came in, (it being by the Fire Side) placed himſelf next between Sir *Leoline Jenkins* and me, reſolving (as we obſerved) to keep that Place if we had ſate down; upon which I delivered my Meſſage without ſitting, in regard I thought that what was denied to one of us, was denied to the Embaſſy, which is the Point his Majeſty's Honour may be concerned in. We find our Inſtructions ſo ſhort in this Point, that we cannot but deſire, upon this Occaſion, you will be pleaſed further to enlarge them, ſince the Thing may return often upon us, by our meeting with the Allies at other Houſes, as well as at Count *Kinski*'s.

After this Conference, I Sir *Leoline Jenkins* going to M. *Beverning*'s, to deliver him ſome Papers from the *French*, relating to the Neutrality, we fell into Diſcourſe of what Paces were next to be made, now the Pretenſions were exchanged: Upon which he ſaid, we ſhould have heard from him ſeveral Days ago, but that he had been in Expectation of Inſtructions from the Penſioner, concerning a Marine Treaty, whoſe Journey to *Groninguen* had delayed them; that he himſelf had made a Draught of it, but durſt not truſt wholly to his own Skill; that when he received one from *Holland*, he was reſolved to carry it himſelf to the *French* Ambaſſadors, and leave it to their

Choice, whether to trouble the Mediators with it or no, it being a Matter of that Nature, as he thought, that might need no Intervention between them; that they were tied to none of the Allies further than to communicate what paſſed, and needed not to make any Stop till they came to the Concluſion of the Treaty: That he knew very well the *French* would give them more than they deſired, if they would make a ſeparate Peace; but as their Honour would not ſuffer that towards the *Spaniards*, who had help'd them in their Diſtreſs; ſo *Don Pedro* muſt not expect *par un coup de plume*, to recover the great Loſſes they have had by the Wars; that when he was near a Concluſion with the *French*, he would begin to ſpeak to his Allies, and act the Part of a Mediator between them.

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 8th Mar. 1676-7.

Right Honourable SIR,

SINCE our laſt, which was of the *5th*, we have not any from you to acknowledge; nor hath any Thing occurr'd to us here of any kind that is worth your Notice. We have had no Manner of Applications made to us from the Parties, ſince the Exchange of Pretenſions between them. However, we could not let paſs this Poſt without giving you this Trouble, which we ſhall take Leave to cloſe with the Aſſurances of our being, SIR, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 12th Mar. 1676-7.

Right Honourable SIR,

SINCE our laſt of the *8th*, we have received the Favour of yours of the *27th* paſt, with his Majeſty's Allowance of our Conduct as to the *Brandenburgh* Ambaſſadors, which we ſhall continue, as you are pleas'd to direct us, until we receive new Orders upon this Matter.

UPON *Saturday* M. *Beverning* came to us, and told us, the Reaſon we had not yet heard from him ſince the Exchange of the Pretenſions, was a Difference that had fallen out amongſt the Deputies of ſome Towns in *Holland*, upon ſome Points of the Marine Treaty drawn up by the States, which had forced the ſaid Deputies to have Recourſe to their Principals, and thereby occaſioned ſome Delay; but that he hoped to receive it within very few Days, and then he ſhould fall to work upon it, whether the reſt of his Allies here were ready to go on or no, upon the Matter of their ſeveral Pretenſions. In the mean time, he thought it would be neceſſary for the Buſineſs here, that *Don Pedro de Ronquillo* ſhould appear in Publick, and thereby fall into Commerce with the *French*, and the other Ambaſſadors upon the Place. To this End he told us, the *Swedes* had already declared, they would make no Difficulty to treat him as Ambaſſador, even before the Arrival of his new Powers, and notwithſtanding the Omiſſion of that Stile in his old; that they would likewiſe ſpeak to the *French* Ambaſſadors upon that Point;

Point; but that he (M. *Beverning*) apprehended ſome Difficulty from us the Mediators, tho' the others ſhould agree, and therefore deſired to know beforehand our Intentions upon it. We told him, that his Majeſty, in the Figure of Mediator, thought himſelf at Liberty to declare himſelf laſt upon any Points of this kind in Diſpute, and therefore we ſhould at preſent ſay nothing to it, but ſhould give him our Anſwer, whenever both the *French* and the *Swedes* ſhould have agreed upon it.

THIS Morning M. *Stradtſman*, one of the Emperor's Ambaſſadors, made his firſt Viſit to every one at his own Houſe, with this Excuſe of having ſo long deferred it, by Reaſon of his Illneſs, and with all the uſual Profeſſions of his Maſter's Confidence and Eſteem of his Majeſty's Mediation.

M. *Chriſtin*, one of the *Spaniſh* Ambaſſadors, is likewiſe arrived, ſo as *Don Pedro* and he will produce themſelves at the ſame Time, when either they may be aſſured of their Treatment as Ambaſſadors upon their old Powers, or at leaſt when they receive their new, tho' *Don Pedro* be very earneſt that the firſt may be done, and ſo much Time thereby gained (as he pretends) in the Negotiation here. We remain ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 15th Mar. 1676-7.

Right Honourable SIR,

OUR laſt was of the *12th*, ſince which we have the Favour of yours of the *6th* to acknowledge, but have no Occaſion given from it to enlarge your Trouble, which we know is ſufficiently great at this Time.

HAVING heard by ſeveral Ways on *Monday* Night and *Tueſday* Morning, how the *French* Ambaſſadors had refuſed to receive M. *Stradtſman*'s Counter-Viſit, we had on *Tueſday* in the Evening from the Emperor's two Ambaſſadors a more particular Account of what had paſſed in that Buſineſs, they coming on Purpoſe to acquaint us with it, and to deſire us, in Regard the Anſwer that was given M. *Stradtſman*'s Secretary, when he was to demand an Hour of them, was in general Terms, we would procure an Explanation of it, that they might repreſent the whole to their Maſter, that he might pleaſe to give Directions as he ſhould find Cauſe to do for the future. They caution'd us not to mingle any Thing of Complaint as from them in this Office, but only to procure a particular Anſwer, why the Counter-Viſit had been refuſed.

THE Repreſentation that Meſſieurs *Kinski* and *Stradtſman* made of the Caſe was thus; That M. *Stradtſman*, upon his ſhewing himſelf in Publick here, (about three Weeks ago) after he had notified the Mediators, ſent to notifie likewiſe the Ambaſſadors of other Crowned Heads, in the uſual Manner.

THAT the Secretary that went to notifie the *French* Ambaſſadors, found M. *d'Eſtrades* ſick when he came, and was not admitted to him; but directed to go to M. *Colbert*'s; and M. *Colbert* proved not to be at Home, but was ſaid to be at M. *d'Avaux*'s, whither the Secretary went; and when he came, he found both the *French* Ambaſſadors ſo engaged with us in a Conference, (it ſeems upon ſome Buſineſs or other in

our Function, that he could not be admitted to deliver his Meſſage for a good while.

That the firſt of all (the Mediators excepted) that returned his Complement, and demanded an Hour of M. *Stradtſman*, was M. *Heugh*, and next to him M. *Oxenſtiern*, and that he aſſigned the Hour of two to the firſt, and of four to the ſecond. That in the 3 *d* Place came the *French* Ambaſſadors Secretaries to make their Complement, and demand an Hour, this was in the Forenoon; the Hour he gave them was ſix, but they deſired it might be ſooner, and if he pleaſed at eleven; but he excuſed himſelf, ſaying, he ſhould be buſy all the Forenoon with a Miniſter from the Elector of *Cologn*, and that he ſhould not be at Liberty before ſix, not telling them how he was engaged to the *Dane* and to the *Swede*. That at ſix the *French* Ambaſſadors performed their Viſit to M. *Stradtſman en corps*, with a Train of 7 Coaches and 6 Horſes a-piece; and the Complement paſſed (it ſeems) with mutual Satisfaction.

That after M. *Stradtſman* had received his Viſits of Ceremony from all the Parties here, and before he return'd any, he fell ill of a Defluxion, which brought him (as was ſaid) to ſpit Blood; and during his Illneſs (which laſted about a fortnight) he excuſed himſelf to the three Ambaſſadors, for that he had not yet return'd them their Viſit, and each of them anſwered his Complement by a Gentleman of their own.

Being to make his Re-viſits, which was on *Monday*, having done with us (as we told you in our laſt) he ſent to take an Hour of the *Dane*, but he was out of Town, being gone to *Weſel*: Then having taken an Hour of M. *Oxenſtiern*, and given him the Counter-Viſit, he ſent to the *French*, who were the next in Order that had viſited him, to take an Hour of them likewiſe to reviſit them. That the Inſtruction of his Secretary was to go firſt to M. *d'Eſtrades*, and then to his Collegues ſeverally: He was to ask an Hour of M. *d'Eſtrades*, and to know whether he might have the Honour to find them all three together, and at what Hour.

To this M. *d'Eſtrades* anſwered, — *Qu'ils n'eſtoient pas plus en Eſtat de recevoir la Contre-viſite, M.* Stradtſman *ayant manqué au Reſpect qui eſtoit deu au Roy:* — The Secretary hearing this Anſwer, deſired to know, *En quoy il avoit manqué?* To which M. *d'Eſtrades* reply'd, — *Que M.* Stradtſman *le ſçait fort bien:* The Secretary having this Anſwer, and conceiving it to be given not only for M. *d'Eſtrades*, but his Collegues too, took his Leave, and return'd to his Maſter, but did not go to the other Ambaſſadors.

This was the Subſtance of that Account the Emperor's two Ambaſſadors gave us, adding, they could not imagine what it was that might have given the Offence, unleſs it were that he ſent to the *Dane*, with an Intention to reviſit him if he had been at Home, and actually reviſited the *Swede* before he had ſent to take an Hour of them to the ſame Purpoſe; the Requeſt they cloſed with was, as before, that we would endeavour to diſcover wherein M. *Stradtſman* had been wanting in his Reſpect to the Moſt Chriſtian King.

Yesterday Morning we went to the *French* Ambaſſadors, and having laid before them the Commiſſion we were charged with from the Emperor's Ambaſſadors; their Anſwer was very ſhort, it was, that they were ſorry thoſe Ambaſſadors had given us Trouble in a Matter that was now paſt, and was not capable of Negotiation: That M. *Stradtſman* knew very well what the Practice had been in other Aſſemblies

like this; and that he not obſerving the ſame in this, they had done no more but punctually executed the Orders of their King.

THIS was the Anſwer given at firſt by M. *d'Eſtrades*, and in the Cloſe of our Conference repeated by M. *Colbert*, with a Preface, that tho' they had diſcourſed to us of ſome Incidents that every Body, he ſaid, did take Notice of; yet they intended no more but what is above, for an Anſwer to the Meſſage we had brought.

THOSE Incidents were but two that we could obſerve, tho' M. *Colbert* told us, there were *Mille choſes dans la Conduite de M.* Stradtſman, *qui marquoient qu'on pretendoit quelque Eſpece de Superiorité.*

THE one was, that M. *Stradtſman* did defer for three Weeks together, to return the Viſit they had made him; a Thing, he ſaid, hitherto unheard of, without ſo much as excuſing it, or acquainting them with his Indiſpoſition; only when he had Occaſion to ask a *Sauvegarde* of M. *d'Eſtrades*, for ſome Concerns he had in the Dutchy of *Cleves*, he did, under one, make ſome Mention of his Illneſs, but that was only by the bye; whereas ſo long a Delay was not to be excuſed but by a more formal Advertiſement of his Indiſpoſition than that was.

THE other Incident that M. *Colbert* complain'd of was, that when M. *Stradtſman*'s Secretary came to ask an Hour of M. *d'Eſtrades* for the Reviſit, he never came at Meſſieurs *Colbert* and *d'Avaux*, but ſpoke of the Thing, as if there had been no more to do, but for the Mareſchal to ſend to them two, that they ſhould render themſelves at his Houſe.

THE Emperor's Ambaſſadors having inſinuated to us, that they could not imagine what ſhould be at the Bottom of that Refuſal the *French* had made, unleſs it were that they pretended to the firſt Reviſit by a kind of Prerogative, notwithſtanding the general Rule that Reviſits are to be paid in the ſame Order the Viſits are made; M. *Beverning* alſo and others harping upon this String in their Diſcourſes upon what had fallen out, we could not but quickly call to Mind, and look back upon an Inſtruction we had receiv'd in your Letter of the 19*th* of *January* upon this Caſe, and alſo reſolve to oppoſe ourſelves peremptorily (as we are there directed) to any ſuch Pretenſion, in caſe it ſhould be touch'd upon. But the *French* Ambaſſadors keeping themſelves to general Words for their Anſwer, and thoſe Incidents they complain'd of to us by way of Diſcourſe not bordering upon any ſuch Pretenſion, we did not ſtir that Queſtion, ſince nothing that paſſed between us gave us any Occaſion to enter upon it.

YESTERDAY in the Evening, we gave the Emperor's Ambaſſadors an Account of the Anſwer the *French* had given us; they quickly reſolved it to be ſo general, that there was no Means by it to diſcover, wherein M. *Stradtſman* had been wanting in the Reſpect due to the Moſt Chriſtian King, and conſequently no Way for the Emperor to direct the redreſſing of what was amiſs, or to prevent the like for the future. But hereupon M. *Stradtſman* made a large Deduction of all that had paſs'd in this Matter, endeavouring to make it appear, that the *French* were not willing to ſpeak out, yet that there could be nothing elſe at the Bottom, but a Pretence to the firſt Viſit, preferably to all other Ambaſſadors here, which was a Thing, he ſaid, would touch other Crowns more than the Emperor his Maſter, who is out of Competition in this Caſe; and he asked us, whether we would be content the Emperor ſhould make ſuch a Declaration in Favour of the *French?* Upon which we immediately replied, that not only we ourſelves ſhould not be content, but that we were very ſure the King our Maſter would

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not be ſo neither; only that the *French* Ambaſſadors had not mentioned any ſuch Thing in what had paſſed between them and us.

THE Emperor's Ambaſſadors made it their Requeſt to us, we would give them the Anſwer of the *French* in Writing; M. *Kinski* preſſed it with much Earneſtneſs: We repreſented to them, that what they deſired, was a Thing that had not been yet practis'd in this Aſſembly; that it had Inconveniencies that attended it, in Matters that were *Delicates*, as this is; and that ſuch Matters were not like to have the better Iſſue, but rather to engage the Parties in further *Aigreurs*, when they were deliver'd in Writing under the Hands of the Mediators. However, we offer'd to dictate to them forthwith, while one of them took in Writing what was given us in Anſwer; and we obſerved to them, that we durſt not charge our Memories to repeat the preciſe Words and Syllables that the *French* had uſed, ſo as to give them under our Hands; and therefore, that if any Thing be to be given under our Hands, we muſt have Recourſe to the *French* upon it, to know if we have rightly and fully comprehended their Anſwer. Beſides, that this would beget another Trouble, which would be, to lay before the *French* in Writing, that Meſſage we had carried them from them, the *Imperialiſts*; but M. *Kinski* was unmoveable from his Demand, and ſo we took further Time to adviſe together what we are to do in this Caſe.

WE have found in Converſation with the *French* Ambaſſadors, that tho' they have, as they ſay, repreſented *Don Pedro Ronquillo*'s Caſe with Advantage to his Perſon, and with Favour to his Pretenſion of being treated as Ambaſſador, if he ſhould appear, and make his Viſits of Ceremony, while he is no more but Plenipotentiary; yet the Moſt Chriſtian King will not allow the ſole Title of *Plenipotentiary* to have any Pretence to Rank; ſo that we, for our Parts, cannot, according to an Inſtruction you were lately pleaſed to ſend us in this Point, receive *Don Pedro* as he pretends, if he ſhould make his Viſits of Ceremony before his new Powers came from *Spain*.

THIS we acquainted M. *Beverning* and Count *Kinski* with, deſiring them they would intimate it to *Don Pedro*, which they undertook to do. Only the laſt preſſed us to declare however, what we ourſelves would do in the Caſe; but we continued to excuſe ourſelves from declaring, ſince the Parties were at ſo great a Difference between themſelves upon the Point, adviſing that *Don Pedro* would continue in the Poſture he is, till the Arrival of his new Powers, which probably will be e're long.

IN a Converſation we had with M. *Beverning* upon *Tueſday*, upon the Incident of M. *Stradtſman*, he took Occaſion to tell us, that the Reaſon of his not moving upon the Pretenſions exchang'd between him and *France* was, upon a Diſparity that had happen'd between the Towns of *Holland*, upon the Inſtructions intended him for the Reglement of Commerce between *France* and them: That this had cauſed the Aſſembly of the States of *Holland* to continue together for ſome Days longer, and that before they were up, he hoped his Orders would be finiſhed and ſent him. He thereupon mentioned M. *Colbert*'s coming to the *French* Army, which he ſaid, had made ſo great a Noiſe, upon a Belief that ſo great a Miniſter, and ſo infirm of Body, would not be put upon ſuch a Journey, but upon ſome extraordinary Occaſion, that he himſelf thought it might be ſomething relating to the Negotiation here; but that whereas he found *Don Pedro* was jealous it might be in Order to a ſeparate Treaty with this State, he for his Part thought

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it was upon ſome Expreſs of *Don Juan*'s to the Queen of *France*, in Order to ſome Meaſures between thoſe two Crowns, which *Don Juan* finds neceſſary for his going on in the Settlement he is now upon, of the Affairs of that Monarchy, and that the Queen was unwilling to entruſt a Matter of that Moment, in any other Hand than M. *Colbert*'s. We remain ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 19th March, 1676-7.

Right Honourable SIR,

HAVING none from you to acknowledge, ſince our laſt of the *15th*, and nothing having ſince occurr'd here worth your Trouble, this will only ſerve to acquit ourſelves of this Duty returning upon us with the Ordinary, and to continue the Profeſſions of our being always, SIR, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 22d March, 1676-7.

Right Honourable SIR,

OUR laſt were a few Words only of the *19th*; ſince which, we have received the Favour of yours of the *13th* Current; but find no Occaſion by it to enlarge your Trouble beyond that of our Acknowledgements.

IN our former of this Day ſevennight, we gave you an Account how the Emperor's Ambaſſadors had preſs'd us to give them in Writing, and under our Hands, that Anſwer which the *French* Ambaſſadors had made, in lieu of a Declaration or Explanation we had been deſired to procure from them of M. *d'Eſtrades* Words to M. *Stradtſman*'s Secretary, when he told him, M. *Stradtſman, avoit manque au Reſpect deu au Roy leur Maître.*

ON *Saturday*, to give us the better Grounds to preſs the *French* to conſent, that we might put their Anſwer in Writing, they ſent us the Extract encloſed, taken, as the Secretary told us, out of their *Protocoll*, that the Queſtion being put into Writing, there might be the leſs Difficulty to put the Anſwer ſo too.

YESTERDAY having taken an Hour of the *French* Ambaſſadors, we acquainted them with what we had reported from them to the Emperor's Ambaſſadors, and the very Words of their Anſwer, as we had given it them *Vivâ Voce*. We acquainted them likewiſe with the Requeſt they had made us, to give them that for the Anſwer of the *French* under our Hands: The Ambaſſadors having withdrawn for a little Moment, came and told us, they could not conſent to any ſuch Thing as the communicating their Anſwer by Writing. They allowed of the Report we had made of it, but added, that ſince in the Caſe between Count *Kinski* and them, about the Viſit of Ceremony, the Mediators would not give his Anſwer in Writing, and his Conſent to do it had been refuſed, and that ſuch a Writing would be to no other

other End, but *pour aigrir les Maîtres*, they did deſire us to forbear putting it into Writing, and M. *d' Avaux* let fall the Word *proteſte* in his Reaſoning upon it, as if they had refuſed us their Conſent, with a Kind of Proteſtation.

THE Buſineſs between them and Count *Kinski* having happen'd while I, Sir *William Temple*, was at the *Hague*, I, Sir *Leoline Jenkins*, (my Lord *Berkley* not being preſent) could not call to Mind that the *French* had at any Time deſired, that any Anſwer that M. *Kinski* had intended them, and given to the Mediators, ſhould be put into Writing; nor that we had refuſed it; nor that Count *Kinski* had deſired us not to do it. The *French* Ambaſſadors had indeed, while the Affair of that Viſit was in Treating, judged it a neceſſary Caution, upon an Apprehenſion that what had paſs'd between M. *Heugh* and Count *Kinski* in their firſt Interviews, might be repreſented at Court to their Diſadvantage, to have the Mediators to atteſt, (in Caſe any ſuch Repreſentation were made) that M. *Kinski* had always declared, that what had paſſed between him and M. *Heugh*, was to be underſtood to have been *en amitie & ſans Conſequence*, and that no Notification had paſſed, nor no Viſit had been made in Form ſo long before as might be pretended.

WE that were then upon the Place, thought this Precaution of the *French* to be very reaſonable, and the rather, in that M. *Heugh* had given out, he had done all he had to do, in Point of viſiting in Ceremony, upon the Viſit he made M. *Kinski* the next Day after his Arrival: But on the other Side, we did not think it fair or ſafe for us to engage ourſelves to give, in Caſe we ſhould be thereafter called upon, a Declaration of the Account and Senſe of M. *Kinski*, upon what had paſſed between him and M. *Heugh*, without firſt ſhewing him, what we were able, and meant to ſay from him, in Caſe we ſhould be called upon, and without obtaining his Approbation to do it. There was therefore a Paper drawn, ſuch as was agreeable to the Ends of the *French*, but M. *Kinski* liked it not, and would not allow us to make any Declaration in thoſe Words, as not ſuiting with his Notions; but then he drew up Words of his own in the Form of a Letter; that Form the *French* liked not; and ſo the Buſineſs fell, and no Viſit paſſed between them.

THIS Account we take leave to trouble you with, that it may not be miſrepreſented on that Side, for that we excuſed ourſelves from giving any Declaration or Atteſtation in Writing, in Caſe we ſhould be called upon, (a Fortnight or a Month after, as was propos'd) without firſt knowing the Words and Circumſtances that M. *Kinski* would agree to, is very true; but as to any Queſtion, about putting any Anſwer of his into Writing, I for my Part can remember nothing of it, tho' the *French* Ambaſſadors are pleas'd to charge it a little hard upon my Memory.

THIS Converſation with the *French* being over, we took an Hour of the Emperor's Ambaſſadors, to acquaint them, that the *French* had refuſed their Conſent to the Propoſal made of giving them the Anſwer of the *French* in Writing under our Hands: This we did together, with the Reaſons and Arguments they had uſed to us. Hereupon the Emperor's Ambaſſadors made heavy Complaints, that we would not reſolve to do it, notwithſtanding that the *French* had refuſed their Conſent, urging us very much to that Piece of *Impartiality* (as they called it) which they had a Right to demand from us; and M. *Kinski* enlarged particularly to make it out, that nothing in the Caſe between him and the *French* Ambaſſadors was appliable to this, averring withal,

withal, that his Conſent had never been ask'd, for the putting of any Anſwer he had made to the Mediators in Writing. The Iſſue was, we repeated the Anſwer of the *French* to them, in the very ſame Words, as near as we were able, that we gave it them in at our former Conference, and M. *Kinski* writ it down, but we ſigned it not. He would at firſt have had a Notary, or a Secretary, called in, to take it in Writing; we excuſed ourſelves, in that no ſuch Perſon had hitherto intervened in any of our Negotiations; and we told him, we muſt take Leave to keep to the ſame Stile we had begun with, till it ſhould pleaſe the Aſſembly, by a General Conſent, to eſtabliſh another, by Writing, or Secretaries, or any otherwiſe as they ſhould pleaſe.

But theſe Ambaſſadors would not ſo diſmiſs this Matter, they would needs charge us with another Meſſage to the *French*, which is this: That whereas they could draw no *Eclairciſſement* from them by us upon this Matter, and whereas M. *d'Eſtrades* told their Secretary, — *Que M.* Stradtſman *avoit manqué au Reſpect deu au Roy leur Maître:* — Whereas alſo M. *Stradtſman* could not imagine wherein that could be meant, unleſs it were, that having received their Viſit the third in Order among the Crown'd Heads, (the Mediators not being herein comprehended) he had offer'd to return it in the ſame Order unto them; they now deſire to know, whether this was the Point which M. *d'Eſtrades* meant, and whether they pretended the firſt Viſit in that Caſe to be due to their King.

In yeſterday's Conference, we delivered the *French* Ambaſſadors the Act of the *Dutch* Ambaſſadors, and the *Procez Verbal*, touching the Neutrality, Copies whereof we ſent by the laſt Poſt. We have not been able to deliver this Meſſage to the *French* Ambaſſadors, they having been Abroad this Morning.

Yesterday in the Evening the *Dutch* Ambaſſadors having taken an Hour of us, acquainted us how they found themſelves brought into a great Embarraſs with the *Brandenburgh* Ambaſſadors, upon the Offices they had appear'd in between thoſe Ambaſſadors and us. They told us, how that the *Brandenburgh* Envoy in *England*, ſolliciting at Court to have a favourable Deciſion in the Pretenſion of the ſecond Ambaſſador here, receives ſtill for Anſwer, that his Majeſty cannot come to any Reſolution upon the main Queſtion, till he be ſatisfied as to the Refuſal thoſe Ambaſſadors have made of his Majeſty's Mediation, as alſo as to that they have declared, they could not come to negotiate in any third Place where we ſhould intervene.

For the Refuſal, the *Dutch* Ambaſſadors ſaid, they hoped it appears by this Time to his Majeſty they never meant it; and for third Places where we have come, they had been preſent at ſeveral Times, as their Affairs happen to require it; ſo that the only Thing which makes a Difficulty, and lies hardeſt at this Time upon them, the *Dutch* Ambaſſadors, is, what they have told us of third Places, in a Conference that they had with us on the 4*th* of *February*, *N. S.* as if they had by Orders from the *Brandenburghers* declared, they could not meet at a third Place where we were.

They were therefore now come, they ſaid, to declare to us, they never had any ſuch Orders from the *Brandenburghers*; that what they have ſaid upon that Subject, was upon their own Heads only, and by Way of Argumentation and *Raiſonnement*, they having been the Day before at an Aſſembly of the Allies, in which our coming among them to negotiate, and the Place and Rank that was to be aſſigned there, happened to be a Part of the Debate; but that there was nothing

therein (they breaking up in ſome Confuſion) agreed upon, much leſs ordered them to deliver us by Way of Meſſage from the *Brandenburgh* Ambaſſadors; therefore they declaring themſelves thus freely, deſired our Offices to give a helping Hand in removing this Incident from off themſelves, and alſo from the main Queſtion.

THEN they produced a Letter, which they intended this Poſt for M. *Van Beuninghen*, in caſe we ſhould find nothing to except againſt in what they write: The Letter being read over, we did not obſerve any Thing in it we could except againſt; they therein taking upon themſelves to have ſaid the Thing, but not to have done it by Order from the *Brandenburgh* Ambaſſadors, which was a Point we could not be Judges of.

UPON the whole, we had no more to ſay to them, than that as we had repreſented what had fallen out from Time to Time in this Matter with Truth and Candor, ſo we ſhould continue to do, and own they had communicated their Letter to us. We remain ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 26th Mar. 1677.

Right Honourable SIR,

SINCE our laſt of the 22*d*, we have none from you to acknowledge. We then gave you an Account of a Meſſage recommended to us by the *Imperial* Ambaſſadors, to be carried from them to the *French*, upon the Incident of M. *Stradtſman*'s Viſit having been refuſed by them: But before we could perform this Meſſage, the *Imperialiſts* ſent us a Paper, wherein they had deduced it in Writing, which we ſend you here incloſed.

HEREUPON we thought it neceſſary, at our Conference with the *French* Ambaſſadors, to read the Paper to them, and not truſt ourſelves with delivering a Meſſage, which we had received the Day before by Word of Mouth, and in another Language; but when we offered to read it to the *French* Ambaſſadors, after having told them upon what Occaſion it was delivered us, they deſired us earneſtly not to take the Pains of reading it to them, ſince that was a Way hitherto unuſed in this Aſſembly, and which would be to no Purpoſe upon this Occaſion, ſince they could add nothing to the Anſwer they had formerly given us upon it.

IN this Conference the *French* Ambaſſadors, upon a little Deduction I Sir *Leoline Jenkins* made to them, and upon Sight of the *Brouillon* of that Declaration they had demanded from us the Mediators, touching what had paſſed between M. *Heugh* and Count *Kinski*, did not find themſelves ſo well founded in what we told you they had averr'd, and charged my Memory withal, in the laſt Conference, but were pleaſed to let it fall, and paſs on to other Diſcourſe.

UPON *Saturday* we acquainted the *Imperial* Ambaſſadors with this Anſwer, and they deſired us we would give it them in Writing; we excuſed ourſelves, as we had before reſolved, the *French* having declared to us, that they could not conſent we ſhould begin this Cuſtom, or give any Thing upon this Occaſion in Writing, wherein both the Parties were concerned. Hereupon we fell into a very warm and long Debate with the *Imperial* Ambaſſadors, they preſs'd us to it upon the Neceſſity

Neceſſity of informing their Maſter and Poſterity, in an authentick Manner, of this Refuſal made by the *French*, upon the Duty of our Mediatorſhip, when it was demanded of us by one of the Parties, in a Thing they thought ſo much concerned them, and in general upon the Practice of other Aſſemblies.

We defended ourſelves upon theſe Points, 1*ſt*, That, as Mediators, we could do nothing wherein both Parties were concerned, at the Deſire only of the one, and without the Conſent of the other. 2*dly*, That we could not charge ourſelves with delivering in Writing, what we had received only by Word of Mouth, without firſt communicating what we writ to the Party, and knowing whether they were his Words or not. 3*dly*, That it had never yet been practiſed in this Aſſembly. And laſt of all, That having ſearch'd the beſt we could into the Practice of *Munſter*, we could not find it had ever been done by the Mediators there: But, on the contrary, we produced ſeveral Paſſages in *Siri*, wherein the Mediators abſolutely refuſed it, at the Requeſt of one of the Parties, and without the Conſent of the other. We added likewiſe, the Reaſon upon which it had hitherto been avoided in this Aſſembly, to have any Thing paſs between any of the Parties, in any Writing of their own, becauſe that muſt have engaged them in the mutual *Aigreurs* of their own Stile; whereas in this Intervention by the Mediators, the Things only were communicated, and the Sharpneſs of all Expreſſions was omitted. As to what they preſſed upon us for Information of Poſterity, we anſwered, that our Buſineſs was here, as we conceived, to make the Peace, and not to take Care of furniſhing the *Protocolls* of one Party or the other. After much Diſpute, when they found they could gain no Ground upon us in this Matter, they contented themſelves to repeat the Anſwer we had delivered them; and ſo ended a very long and troubleſome Conference.

The Day before, they ſent us Word, that their new Powers were arrived, which we had acquainted the *French* Ambaſſadors with, and they laſt Night came and put their new Powers into our Hands, and deſired we would make the Exchange with the ſeveral Allies, in Order as they had received theirs; ſo as we intend to-Morrow to begin this Office between the *Imperialiſts* and the *French*, and to acquaint the *Dutch* with it, believing they cannot fail of being before this Time poſſeſſed likewiſe of their new Powers, tho' we have yet received no Notice of it: We ſomething wonder to have heard nothing from them, neither of this nor the Reglement of Commerce, upon which they pretended to enter into Negotiation within very few Days after the Exchange of the ſeveral Pretenſions: We find *Don Pedro de Ronquillo* is very jealous of ſomething being in Treaty between the *French* and the *Dutch* upon this Subject, in ſome other Place; but M. *Colbert* tells us in Converſation, that the Reaſon of it is, ſome Difficulty ſtill remaining upon it among the ſeveral Towns in *Holland*. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 29th March, 1677.

Right Honourable SIR,

OUR laſt was of the *26th*; ſince which, we have the Favour of yours of the *20th* Current to acknowledge, and therein his Majeſty's Directions, which we ſhall be very careful to obſerve, both in avoiding all that may be to meet the *Imperial* Ambaſſadors in *Third Places*, and, when that cannot be avoided, in not yielding them the *Place*.

WE humbly thank you for the early Advice you are pleaſed to give us, of the Incident of *Don Bernardo de Salinas*: We expect, according to the Judgment you are pleaſed to make of it, that it will make a great Noiſe, and in this Place eſpecially. M. *Beverning*, in a Conference we had with him on *Tueſday*, would not own he knew any Thing of it, either from M. *Van Beuninghen*, or from the *Hague*. We took Occaſion to repreſent the Thing truly and rightly to him, and ſhall do the like as Occaſion ſerves.

OUR Buſineſs with the *Dutch* Ambaſſadors on *Tueſday*, was to acquaint them, that the *French* had put into our Hands their new Powers to treat with them the *Dutch*, and ſo thoſe for the reſt of the Allies. M. *Beverning* told us, he would ſend us their new Ones next Morning, which was yeſterday, but did not. He gave us a Hint, that M. *Kinski* would deſign to have the Communication of theſe Powers made at one and the ſame Time to all the ſeveral Parties, but that he, for his Part, intended, and had Orders to manage this Concern of his Maſters as he ſaw Cauſe, and not to tie himſelf to the Steps of M. *Kinski*.

YESTERDAY we acquainted the *Imperial* Ambaſſadors, how his Majeſty had been pleas'd to renew his Offices towards the Moſt Chriſtian King upon the Overture they and other of the Allies had made to us here, of the Extremities wherewith the *French* of late carry on the War: They ſaid, they would be ſure to make a juſt Repreſentation to the Emperor, of his Majeſty's Care and Concern in this particular.

WE acquainted them likewiſe, how we were poſſeſs'd of the new Powers, that the *French* Ambaſſadors had received from their Court, to treat with the ſeveral Allies, among which, there was one to treat with the *Imperial* Ambaſſadors, and thereupon we deſired to know, in what Manner they deſired this reciprocal Communication ſhould be made between them and the *French*.

THEY told us, this was a Buſineſs that all the Allies were jointly concern'd in, and would be conſidered of as this Day in their Aſſembly, and that then we ſhould hear further from them.

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 2d April, 1677.

Right Honourable SIR,

SINCE our laſt of the *29th* paſt, we have none from you to acknowledge; and but little at preſent to trouble you with from hence.

UPON

UPON *Saturday* Count *Kinski* came to us, and told us, he had received a Letter from the Duke of *Lorain*, complaining that he was not yet allowed to ſend a Miniſter hither with the Character he intended, and which he could ſo evidently prove to have been frequently practiſed by his Anceſtors, if he had the Archives of his Houſe in his Poſſeſſion: But that, however, having met with two Papers, which he thought made that Buſineſs clear, as to the Court of *France*; he had ſent us Copies of them, deſiring us to communicate them to the *French* Ambaſſadors, and to make new Inſtances upon them, for the Diſpatch of that Affair. We ſend you encloſed the Copies of them; and Count *Kinski* pretended, that not only the Superſcription of both the Letters made the Stile of Ambaſſador evident, but that the Treatment appeared to be ſo too, by thoſe two Circumſtances of defraying and ſending the King's Coaches to receive the Marquiſs *de Ville*.

YESTERDAY we received from the *Hague*, a Letter of M. *Muller*, the Duke of *Lunenburgh*'s Miniſter there, incloſing the Pretenſions of his Maſter, and excuſing his not being able to come yet to the Congreſs. He ſent us at the ſame Time his Maſter's Original Letter and Power to him, by which we are deſired not only to receive their Pretenſions without any further Legitimation of them, but likewiſe to communicate them to the *French* and *Swediſh* Ambaſſadors. We ſend encloſed the Copies of all theſe Papers, tho' we have not yet had an Opportunity of communicating them to the *French* or *Swediſh* Ambaſſadors, which we hope to do this Evening, and at the ſame Time Papers abovementioned from the Duke of *Lorain*.

WE have likewiſe received by M. *Spanheim* a ſort of *Credential Letter* from the Prince Elector *Palatine*, which we ſend you likewiſe encloſed, but have adviſed M. *Spanheim* to procure a more formal Power, either to himſelf or the Emperor's Ambaſſadors, ſince he intends by their Hands that his Maſter's Pretenſions ſhall be given us.

THE *Dutch* Ambaſſadors having ſent their new Powers to us, we have this Morning, by our Secretaries, made the reciprocal Communication of them between the *French* and *Dutch* Ambaſſadors, to the end they might compare them with the Formularies of thoſe Inſtruments firſt agreed on among the Parties, and whereof they have all authentick Copies remaining in their Hands. But the *Dutch* Ambaſſadors deſired theſe Copies might likewiſe be authenticated by us, which ſhall accordingly be done for all the Parties.

ABOUT two Days ſince, M. *Heugh* went to *Weſel* to the Elector of *Brandenburgh*, who was then expected there, and this Morning M. *Beverning* went likewiſe out of Town, intending to paſs ſome Days in *Holland*, both at his own Houſe and the *Hague*. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 5th April, 1677.

Right Honourable SIR,

OUR laſt was of the 2*d*; ſince which, we have not the Favour of any from you to acknowledge.

ON *Tueſday* we communicated to the *French* Ambaſſadors the two Letters we ſent you Copies of in our laſt, relating to the Duke of *Lo-*

Lorain's Pretenſions, of ſending *Ambaſſadors* to this Congreſs; they took the Papers from us, ſaying, they would tranſmit them to their Court; but the Contents of them ſeemed to go no great Way with theſe Ambaſſadors; only M. *d'Eſtrades* allowed, that *to be fetch'd* with the King's Coaches, and *to be treated* for ſome Time at the King's Charges, is in the Court of *France* peculiar to *Ambaſſadors*, and never done to *Envoyées*, or other inferior Miniſters. That which they thought requiſite to make a compleat Proof, was to produce the ſubſtantial Pieces of an Embaſſy; the Letters of Credence and Recreance, *Pouvoirs*, &c. and in Anſwer to the Duke's Complaint, that he had not the Benefit of thoſe Proofs, which the Archives of his Houſe would probably furniſh him with; M. *Colbert* reply'd, that ſuch Pieces (if any ſuch there be) are to be found among the Papers and Writings that ſuch who have born the Employment have left behind them in their own Families, rather than in the Archives of the Prince.

In this Conference, we acquainted them alſo with the Contents of the Letter we had received from M. *Muller*, and with the Method whereby he deſired to bring the Dukes of *Lunenburgh* his Maſter's Pretenſions into Negotiation here; telling them, how M. *Muller* had ſent us incloſed in his Letter, the Propoſitions of thoſe Dukes for *France* and *Sweden*, together with the Original Power or Procuration they had given to their Miniſter M. *Muller*; which ſeveral Papers we took leave to ſend you by our laſt.

The Thing being thus opened to them, they took great Exception to M. *Muller*'s Manner of Proceeding, alledging it to be altogether beſide the Forms that are received here; they deſired us not to give ourſelves the Trouble of reading to them any of thoſe Papers, as we had offered to do, telling us, it would be *inutile* (that was the Word they uſed) to do it. They obſerved to us, how they had ſome while ſince excuſed themſelves to us, upon a like Overture we made to them, of introducing the Duke of *Lorain*'s Pretenſions by Letters only, without any Perſon authorized with a *Plenipouvoir*, to give them in, and treat upon them: That there was the ſame Reaſon they ſhould excuſe themſelves in this Caſe: They added, that according to the Tenour of the Powers they have from the Moſt Chriſtian King, they can treat with none but ſuch as are *Miniſtres* (whether they be of the Parties principal, or of their Allies) *munis des Pouvoirs ſuffiſantz*; in this Caſe there being neither Miniſter that appears, nor Powers in Form that is produced, they cannot treat, leaſt of all with the Mediators, who, they were confident, would not take upon them to manage the Propoſitions of theſe Dukes, leſt they ſhould, in ſo doing, ſeem to depart from that Indifference and Impartiality they are obliged to in their Function. That ſuppoſing a Miniſter were come from thoſe Dukes upon the Place, he cannot be admitted into the Negotiation, without firſt producing his Power in the Form agreed on, and received as common to all the Aſſembly, and that they muſt inſiſt to have that Form kept too very cloſe, elſe there will follow great Inconveniencies. This is the Turn that the Affair of the Dukes of *Lunenburgh* has taken, as M. *Muller* hath thought fit to order it.

We asked them, whether the Paſſport of *France*, for the Deputies of *Hamburgh*, to paſs to this Congreſs, were yet come to their Hands; they told us, they were not, but that they expected them every Day.

M. *Kinski*, in ordinary Converſation, told me, Sir *Leoline Jenkins*, on *Tueſday* laſt, that they (the *Imperial* Ambaſſadors) and the reſt of the Allies, would expect M. *Heugh*'s Return from *Weſel*, before they would

would communicate their new Powers, as the *Dutch* had done, and would be glad the Mediators, out of their Zeal and Prudence, would afterward, as ſoon as poſſible, take a Courſe, as of themſelves, to invite and engage the ſeveral Parties to enter into Treaty, upon the Propoſitions and Pretenſions that are now exchanged; for that he is very ſure the Emperor his Maſter deſires a Peace unfeignedly.

M. *Haren*, in the like Converſation a little before, told me, that M. *Colbert* had told him, they, the *French* Ambaſſadors, had a Prohibition not to enter into Matters with the *Spaniſh* Ambaſſadors upon their Propoſitions as they are now given in, they muſt be firſt moderated, elſe the *French*, as he ſaid, will not treat; yet *Don Pedro* profeſſes openly, as M. *de Haren* then told M. *Colbert*, he intends ſome Parts of his Propoſition to the Mediators to bring in Temperaments upon, and does not mean to inſiſt finally upon what he hath now demanded.

M. *de Haren*, in the ſame Converſation, told me a little before, he thought it was well known to the World, that they, the *Dutch*, might have a Peace whenever they pleaſed with *France*; but their Deſire was, that the Peace ſhould be *General*, anſwerable to the Deſign of this Aſſembly.

Don Pedro Ronquillo thinks the Treaty of Commerce between *France* and this State, is *ſur le Tapis*, at this Time elſewhere, as he told me, Sir *Leoline Jenkins*, and not in the Hands of the Miniſters here. He hears, he ſays, of other Propoſitions that paſs between *France* and this State, but knows not the Contents of them, only that *France* offers to warrant the *Stadtholderſhip* to the Prince of *Orange*, in the ſame ample Manner he now holds it. We remain ever, SIR, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 9th April 1677.

Right Honourable SIR,

SINCE our laſt of the 5*th*, we have received none from you, nor hath any Thing here occurr'd worth your Trouble; ſo that we write this only to acquit ourſelves of the Duty returning upon us with this Ordinary, and at the ſame Time to aſſure you of our being always, SIR, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 12th April 1677.

Right Honourable SIR,

OUR laſt was a few Lines of the 9*th*, ſince which we have the Favour of yours of the 3*d* Current to acknowledge.

WE have not yet heard one Word of the Proceedings of M. *Giöe*, the *Daniſh* Envoy on that Side: M. *Heugh*, that probably would have publiſhed any Thing that might have been ſent him from that Envoy, having been this laſt fortnight out of Town, was not expected till late laſt Night from *Weſel*, whither he was gone.

YESTER-

YESTERDAY in the Evening, a Councellor of the Duke of *Holſtein* brought us Letters from the Duke his Maſter, and gave us a very ſad Relation of the Sufferings of that Prince: But having the Queſtion put to him, how he pretended his Maſter's Affairs could be introduced into the Negotiation here of a General Peace? he did not appear to be ſo fully inſtructed; but rather to hope, that his Majeſty, not as a General Mediator in this Aſſembly, but as a ſpecial Guarand of what had been agreed between the laſt King of *Denmark* and this Duke of *Holſtein*, would employ his Authority, and compaſs his Ends in ſettling that Affair.

YESTERDAY in the Afternoon we had an Opportunity to perform with the *Swediſh* Ambaſſadors, the ſame Offices in the Behalf of the Dukes of *Lunenburgh*, and their Miniſter M. *Muller*, that we performed ſome Days ſince (as we have given you an Account of in our Letter of the 5*th* Current) towards the *French*. The Anſwer that the *Swedes* made us, was much of the ſame Tenor with that of the *French*: That the Way thoſe Dukes had taken to bring their Pretenſions into Debate, did not agree with that which had been hitherto the Practice of this Place; all the Perſons that had been admitted as Parties, having firſt legitimated themſelves by ſpecial Powers from thoſe they appeared for: That putting the Caſe the Pretenſions of thoſe Dukes ſhould be given in, and received as they are now offered from our Hands, yet nothing could be done upon them with Effect, without a Perſon, to whom Recourſe might be had upon the Emergents, and who might withal anſwer for the Parties Principal; much leſs can any Thing be concluded without a Power in due Form, which yet muſt be the End of this and all other Negotiations. They told us, they had no other Counter-Pretenſions to give in with Relation to thoſe Dukes, (the King their Maſter having never had any the leaſt *demêlé* with them) but the very ſame they have already given in to the *Imperial* Ambaſſadors, which are, in a Word, the Reſtitution of the Peace of *Weſtphalia* in all its Points.

WE took Occaſion in this Conference to ask them, whether the Powers they had ſent for about two Months ago into *Sweden*, were yet come to Hand, or at leaſt that they had any News of them? They anſwered us, they had none: And asked again of us, whether we could give them any Hopes of that free Paſſage for Letters and Couriers, which they have ſo long, and with ſo much Reaſon, demanded; eſpecially upon a new Project of a Way they had propoſed, that was not above 10 or 12 Leagues through the Dominions of *Denmark*. We told them, (as we had once before) that his Majeſty had ſent that Propoſition, with his Offices upon it, to the Court of *Denmark*; and that he had alſo renewed his Offices with *France*, for a Liberty leſs reſtrained than now it is, of Couriers into *Spain*, but that we could as yet tell them nothing of the Succeſs.

ON *Tueſday* Night M. *Beverning* return'd hither. He ſays, he has got to himſelf full Inſtructions in the Journey he hath made, and might have got them a Month ago or ſooner, had he then made his Journey: We ſhall hear from him, he ſays, as ſoon as he can get his Matters written out, and that it will be upon the Commerce. We remain ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nime-

Nimeguen, 16th April 1677.

Right Honourable SIR,

SINCE our laſt of the *12th*, we have none from you to acknowledge, nor has any Thing material ſince occurr'd here.

THE *French* Ambaſſadors complain of all their Letters, due by yeſterday's Pacquet, having been either ſeized and torn, or carried away by a *Spaniſh* Party, which they are adviſed of by the Poſt-maſter of *Liege*, and threaten Repriſals in the ſame kind.

M. *Heugh* is returned from *Weſel*, and the Elector gone back towards *Stetin*: We have nothing further, but to wiſh you the good Feaſts, and to aſſure you of our being always, SIR, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 19th April 1677.

Right Honourable SIR,

OUR laſt was of the *16th*, ſince which we have not the Favour of any from you to acknowledge.

ON *Tueſday* a Secretary from the *Brandenburgh* Ambaſſadors brought me, the Lord *Berkley*, the new Powers of his Maſters to treat with *France* and *Sweden*, deſiring that we would communicate them to the Ambaſſadors of thoſe Crowns reſpectively, and procure to the *Brandenburghers* a Communication of theirs. He asked me likewiſe, and ſaid it was by ſpecial Orders from his Maſters, Whether we had received any Reſolution from his Majeſty, *touchant l'egal Traitement deu à leurs Excellences Meſſieurs les Ambaſſadeurs de ſa Serenité Electorale* (theſe were his Words)? To which I gave for Anſwer, that we had not received any Reſolution from his Majeſty upon that Queſtion, obſerving to him withal, that it was now a buſy Time at Court, and always uſed to be ſo, a Parliament ſitting.

THE ſame Day, the *Dutch* Ambaſſadors having taken an Hour of us for a Conference, came to my Houſe, the Lord *Berkley*, their Buſineſs was, to put into our Hands a Project for a Treaty of Commerce between them and *France*, and another between them and *Sweden*; they deſired our Offices in handing them that very Day (if it might be without Inconvenience) to thoſe Ambaſſadors, profeſſing it to be very much their Deſire to enter into Matter, without further Loſs of Time. They acknowledged, that having in the Pretenſions they had given in againſt both thoſe Crowns, made a Regulation and a Treaty of Commerce to be part of their Demands, they ought to have brought in their Projects of it at the ſame Time, but that it had ſo fallen out, that they could not be then got ready; that they could not get full Inſtructions for theſe Projects, till M. *Beverning* lately made an Excurſion into *Holland*; and that tho' ſome time had paſſed ſince his Return, before they could do what they were now come to do, it was partly by Reaſon of the Holy-Days, and partly for that the Projects themſelves had taken up ſome time to tranſcribe.

THEY deſired us to excuſe them, that they did not at the ſame Time bring us Copies of the Projects for our own Uſe; they had not

had Time, they ſaid, to do it, but that they would have Copies written out for us very ſuddenly; they deſiring us we would not detain theſe in our Hands ſo long as Copies of them would be written out; in Regard they intended to ſend to the ſeveral Ambaſſadors, to demand Conferences upon them, as ſoon as they could underſtand they had been lodged in their Hands, for a Time competent for them to peruſe them.

HOWEVER, we thought a Treaty of Commerce between theſe two Nations, to be of that Conſequence in his Majeſty's Conſideration, that we made a Shift to get a Tranſcript made of the Project intended for *France* before we parted with it, which we did the ſame Evening, and delivered it afterwards to the *French*; the Copy goes herewith incloſed. All Hands being employed to take this Copy, we could not poſſibly get one tranſcribed of the Project to the *Swedes*, and we were the leſs ſollicitous about it, becauſe the *Dutch* Ambaſſadors had aſſured us, the Project for the *Swedes* was the ſame with that for *France*, only that for *Sweden* was in *Latin*, and ſome Conditions not applicable to that Nation (as that about the *Droit d'aubaine*, &c.) were omitted in the *Latin*. They added, that the Treaty of Commerce lately made ſince the War between them and *Sweden*, did not render this the leſs neceſſary, in Regard that Treaty was but proviſional, and to laſt no longer than the War; nor was this Treaty intended to take Place till that was expired, by making the Peace.

HAVING performed our Offices with the *French* and *Swedes* the ſame Evening, I Sir *Leoline Jenkins* acquainted the *Dutch* Ambaſſadors with it yeſterday Morning; they told me, that the *French* being now poſſeſs'd of thoſe Projects, they, the *Dutch*, would ſend to them this Day to demand a Conference, and by that Means put them to it to try, whether they would treat or not.

M. *de Haren* ſeemed to be of Opinion, there was little Likelihood that either of the adverſe Parties would enter into Matter upon theſe Projects, before they had firſt communicated them to their Courts: M. *Beverning* added, it was not to be hoped the *Swedes* would do it without expreſs Orders from theirs; and that he, upon that Conſideration, had ſome five Days ago ſent them their Project, having underſtood they were then upon diſpatching an Expreſs to the King their Maſter, by a Ship that was to ſet Sail from *Amſterdam*; and that the Project which they, the *Dutch*, had left with us, was but for Form Sake, to be handed over, the *Swedes* being poſſeſs'd of it already; which we humbly take Leave to obſerve, as another Inſtance of that Intercourſe that they have managed now of a long Time between themſelves, without the Intervention of the Mediators.

THESE Ambaſſadors entring into ſome Diſcourſe about the Surrendry of *Cambray*, M. *Beverning* expreſſed himſelf in theſe Words, or to the very ſame Effect: — *Meſſieurs les Eſpagnols ſont ſi mal leurs affaires, qu'ils feroient bien de ſe mettre en tutelle, & de nous donner les places qui leur reſtent à garder; nous y mettrions du monde & ne manquerions pas de les bien garder pour eux.* He ſaid further, the Conditions that *Spain* might have had two Years ago, were much better than thoſe they might have had laſt Year; and thoſe of laſt Year better than thoſe they may have this Year; but that if they ſtay another Year, there will be nothing left them; the Moſt Chriſtian King now giving out, that he doubts not but in one Year more, he will take from them All they have remaining in the *Netherlands*.

THIS

THIS was the Diſcourſe M. *Beverning* held to me, in the Preſence of his Collegue, I ſhall crave Leave to add to it [what he was pleaſed to ſay on the ſame Subject, in a particular Viſit he gave me on *Monday*; it was, that the *French* were at this Time ſo high, that there was no talking to them of a Peace, nor Hopes to have it upon reaſonable Terms, and that for four Reaſons, which he gave me in this Order: 1. For the late Succeſſes of their Arms. 2. For that they have nothing to apprehend *du Côté de l'Angleterre*. 3. For that there will be a Breach between *Poland* and ſome of the Allies. 4. For that *Don Juan* would be glad to make a Peace at any rate, and that he hath opened himſelf to the Pope's Nuncio to that Effect. Then reſuming again the Article of *England*, he ſaid, it was moſt certain that the Moſt Chriſtian King hath not long ſince ſaid in Diſcourſes, that he was ſure, that tho' the *Spaniſh Netherlands* were to be wholly loſt, yet *England* would not arm one Man of War to oppoſe it.] *in Cypher.*

ON *Tueſday* we acquainted the *Swediſh* Ambaſſadors, that the *Brandenburghers* had ſent us their new Powers to treat with them; their Anſwer was, that they could ſay nothing to it, their new Powers from *Sweden* being not yet come. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 23th April, 1677.

Right Honourable SIR,

SINCE our laſt of the *19th*, we have none from you to acknowledge.

UPON *Friday*, the *Daniſh* Ambaſſador ſent his new Powers into our Hands, deſiring it might be exchanged with thoſe of the *French*; ſo as the *Imperialiſts* and *Spaniſh* only now remain, the laſt whereof are expected by next *Spaniſh* Poſt, and Count *Kinski*, we ſuppoſe, attends only their Arrival, to make the Exchange of his.

UPON *Friday* and *Saturday*, the *Dutch* Ambaſſadors had two long Conferences with the *French* and *Swedes*, upon the Subject of the Reglement of Commerce; we have no formal Account given us from either Side of what paſſed between them upon this Occaſion; but in ordinary Converſation the *French* tell us, that they look upon it as *an Amuſement*, and that it is to begin the Treaty where it ſhould end: That before the main Points are agreed upon between the Parties, this can ſignifie nothing, and that all Matters of Commerce have been only *les Suites d'un Traité*. Beſides, they ſay, the Articles offered them by the *Dutch* in this Matter itſelf are unreaſonable; that they are grounded chiefly upon the Treaty of 1662, by which the *French* take themſelves to be aggrieved; and yet the *Dutch*, not content with that itſelf, have extended theſe in ſome Points to the Treaty of 34: That they pretend to take away from the King their Maſter, the Liberty of laying what Impoſitions he thinks fit upon Foreign Commodities, which ought to be regulated only by the Intereſts and Neceſſities of his Crown. In ſhort, they talk very ſlightly of all that has paſſed between them upon this Subject, and as a Thing that cannot draw to any Conſequence.

THE *Dutch* Ambaſſadors tell us, *Que le tout a paſſé fort honnêtement:* That the *French* at firſt asked them poſitively, Whether they

would treat a ſeparate Peace, or no? and told them, in that Caſe, they might find the King their Maſter much eaſier in theſe Points of Commerce: That they (the *Dutch*) had replied, they could not *ſortir de leurs Obligations aux Alliez*; but that their meaning was, when thoſe few Points in Difference between *France* and them, were once agreed; then to preſs the Allies in what concerned their reſpective Intereſts, and to ſpeak plainly to them, in what they conceived reaſonable or unreaſonable in their ſeveral Pretenſions: That hereupon the *French* diſcourſed over ſeveral Parts of the Articles offer'd them, finding ſome Difficulties both in thoſe of *Commerce*, and that concerning the *Principality of Orange*, becauſe, they ſaid, the Bent of all Treaties were either to adjuſt Matters between the Parties upon the preſent Foot, or at moſt, to reſtore them to the State they were in when the War began; whereas, the *Dutch* Pretenſions reacht further in both thoſe Points: That however their Anſwer was upon the whole, that the *Dutch* having had ſo many Months Time to digeſt thoſe Propoſitions, they the *French* ought to have a Fortnight at leaſt, to make their Reflexions upon them. That to this End, they would firſt make their own Remarks, and then tranſmit them to their Court.

Upon *Saturday* Afternoon, the *French* Ambaſſadors came formally, and put into our Hands the Copy of a Letter from the King their Maſter to his Majeſty, whereof we ſend you a Tranſcript encloſed: They did not deſire us to communicate it to the Allies, but yet ſeemed to intend it, ſaying, that their Maſter had reſolved, upon his Enemies giving out, that his Deſigns were to make the entire Conqueſt of *Flanders*, to let the World ſee by this Letter, that he was content to purſue it no further; and by a *long Truce*, to leave Things in the State they were in at preſent, at leaſt as to what concerns themſelves, ſince they could not tell what the Intentions of the *Swedes* would be upon it; their Ambaſſadors here having excuſed themſelves upon the Want of Communication with their Court.

We found the ſame Evening, that M. *Beverning* had been acquainted with this Letter before us, but that he was not of Opinion, it could have any Effect. He ſaid, the *French* were to be extreamly commended, that they never neglected any Thing either of Importance, or of *Amuſement*, that could conduce to their Affairs: That this Offer might amuſe ſome ignorant People with the Fairneſs of their Intentions, but that there was no underſtanding Man who did not eaſily ſee to the Bottom of it. He ſaid in the firſt Place, *ils ont fait leur coup & veulent empeſcher le nôtre*; but that ſince they, the Allies, had begun the Campaign ſo ill, they had as good ſee the End of it; that if the *French* intended any Thing fair by the Offer of a *Truce*, they ſhould at leaſt have made it in *January* laſt, and that, having not poſſeſt themſelves of all the Frontiers of *Flanders*, they had a great deal of Reaſon to deſire it; becauſe in two or three Years Time, all they had gained either in *Flanders* or *Sicily*, would grow to be as much *French* as *Picardy* or *Languedoc*; and when the Force of the preſent Alliance was once broken, it would be eaſy to make an End of the reſt at any Time, in one Campaign. He confeſt the *Dutch* had no great Intereſt againſt the Truce, as the *French* had a great deal for it; but that he did not believe the Allies of either Side could conſent to it, and perhaps the *Swede* as little as the *Spaniard*, who were very ſenſible of their ill Uſage from *France*, but know not how to help themſelves. That he ſaw plainly, the *French* Hopes were, to ſeparate them, the *Dutch*, from their Confederates, but that they might be deceived

ceived in that Deſign; for tho' the People generally in *Holland* were bent upon a Peace, let it be one Way or other, yet all wiſe Men amongſt them ſaw, they could not make one ſeparately without falling at the ſame Time into a Subjection to *France*. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 26th April, 1677.

Right Honourable SIR,

OUR laſt was of the 23*d*; ſince which, we have the Favour of yours of the 17*th* Current to acknowledge, and therein the Care you are pleaſed to have of us, in deſigning to beſtow ſome of your Leiſure Hours, during this Receſs, to look over what hath come from us to your Hands, ſince the Buſineſs of Parliament hath taken up ſo much of your Time and Applications. We are likewiſe to acknowledge with all Thanks, that we have had the Journals of both Houſes ſent us conſtantly from your Office, as you have been pleaſed to direct.

ON *Tueſday* in the Afternoon, the new Powers of the *French* and the *Dane* were communicated, and Copies of them interchanged by our Secretaries. M. *Heugh* thought fit, before we ordered it to be done, to demand of us, that either at the Communication, (in Caſe we ſhould make it ourſelves) or elſe at any Conference we ſhould have with the *French* Ambaſſadors, we ſhould let them know, that notwithſtanding the King his Maſter hath at this Time, not finally ſtood upon having the *French* Powers in *Latin*, or elſe his own admitted into *Daniſh*; yet his meaning was, that this Step of his ſhould be *ſans Conſequence*; and that if this be urged againſt the *Dane* upon any other Occaſion in future Times, it may be replied, that what was now done, was with an expreſs Caution, that it ſhould not be drawn into Conſequence.

YESTERDAY the Secretary of the *Imperial* Embaſſy, brought us the Emperor's new Powers to his Ambaſſadors, to treat with *France* and *Sweden*. Upon the Delivery of them, he expreſſed himſelf in a formal Meſſage to this Effect: — That the Ambaſſadors his Maſters had ſent us their new Powers to be communicated (with Copies to be interchang'd) with the adverſe Parties, deſiring our Offices in doing it after the Manner accuſtomed: That his Maſters, tho' they did pray our Offices in this, yet they deſired to be underſtood with a Reſerve, to apply themſelves upon the like Occaſions to the Miniſters, that the *Pope*, or the Republick of *Venice*, ſhould employ as Mediators on their Parts in the Negotiation here; for that the Mediation of the Pope, and of that Republick, is likewiſe accepted of by his *Imperial* Majeſty: And then, together with the Powers, he delivered a Letter, which, he ſaid, the Ambaſſadors had written to us to that Effect, the Copy of it we take leave to encloſe herewith.

WE do not find that the *Dutch* have had ſince our laſt any Conferences with the *French* or *Swedes*, upon their Project about the Commerce. M. *de Haren* went on *Monday* laſt for *Frizeland*; M. *Beverning* ſays, he expects his Return in ten Days. He tells us, there is a Houſe now fitting here for the Nuncio; and that ſince the Nuncio will not content himſelf with an *Eſcorte*, (the States having offer'd that one

ſhould

ſhould attend him aſſoon as he ſhould come within their Territories) but will have their Paſſport too, he thinks the States may be well induced to gratifie him in that likewiſe; and the rather, in that there is a Precedent in their own Regiſters, of having granted their Paſſport to the Nuncio that was at *Munſter*, and that this Nuncio will not inſiſt to have any other Title given him, but that of *Monſieur Bevilaqua, Patriarche d' Alexandria, nonce du Pape.*

He tells us further, that the States his Maſters have long ſince accepted of the Mediation of *Venice*; but we have not yet been able to inform ourſelves, whether all the Parties here do own to have accepted the Mediation of that Republick, as 'tis inſinuated by the *Imperial* Ambaſſadors they have.

He asked us yeſterday in an ordinary Converſation, whether we had given any Copies of the Letter (dated the $\frac{13}{23}$*d* of *April*) which the Moſt Chriſtian King hath lately written to his Majeſty from *Teroüanne*, and being told we had not, and that we had not yet heard any Thing of any ſuch Letter from Court, he recollected himſelf, and ſaid, he was in no Haſte for the Copy, having ſeen the Letter. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 30th April, 1677.

Right Honourable Sir,

Our laſt was of the *26th*; ſince which, we have none from you to acknowledge.

The ſame Evening, we received a Meſſage from all the Miniſters of the Allies, ſignifying to us, that their ſeveral Anſwers to the *French* and *Swediſh* Ambaſſadors Pretenſions were ready in their Hands, and that in Caſe thoſe of the *French* and *Swediſh* Ambaſſadors were likewiſe ready in theirs, they, the Allies, ſhould put in their Anſwers into our Hands, upon any Day we ſhould think fit to appoint for the Exchange to be made between the Parties. They likewiſe deſired to know, whether we had yet received from the *French* Ambaſſadors their *Contre*-Pretenſions againſt the Duke of *Lorain.*

We anſwer'd as to the firſt, that we had not yet heard either from the *French* or *Swediſh* Ambaſſadors, of any Anſwer to the Pretenſions of the Allies being ready in their Hands, or intended to be put into ours: And as to the ſecond, that we ſuppos'd the Allies might remember the Occaſion, upon which the *French* Pretenſions againſt *Lorain* were delayed, which was, for Want of a Miniſter here ſufficiently authorized from that Duke.

The Secretary who brought us the Meſſage from the Allies, deſired that we would communicate to the *French* and *Swediſh* Ambaſſadors what he had imparted to us concerning the Allies being ready to put their Anſwers into our Hands. And as to the Duke of *Lorain*, he ſaid, tho' the Allies remember the Difficulties we had mentioned, yet they deſired we would again repeat that Demand.

Upon *Friday* we communicated this to the *French* Ambaſſadors, whoſe Anſwer, as to what concern'd the Duke of *Lorain*, was the ſame it had been at firſt, that they could make no Pace in that Affair, till they ſaw ſome Perſon here, *muni des pouvoirs ſuffiſants*, with whom

whom they might treat. As to the Meſſage we had received from the Allies, concerning the Anſwers to the ſeveral Pretenſions, they ſaid, that upon their Reſolution taken to deliver in their firſt Pretenſions in Writing, they had then told us, that they intended to make that Pace no more, as being a Way they conceived not conducing to the Peace, but likely to draw out the Treaty into great Length of Writing on both Sides, and thereby into new Sharpneſſes between the Parties; that they ſtill perſiſted in this Reſolution, and ſhould not give any Anſwer in Writing to the Pretenſions of the Allies; but whenever the Allies ſhould do it, let it be in which Way they pleaſed, either by Writing or Diſcourſes to us, they ſhould be ready to receive it, and ſhould at the ſame Time deliver their Anſwers to us by Word of Mouth, and purſue the ſame Courſe in the reſt of the Treaty; or elſe by Conferences between the Parties, if that could be agreed on.

We told them, that we doubted there would be a Difficulty who ſhould begin, if one of the Parties reſolved to proceed by Writing, and the other by Diſcourſes, ſince both could not be made to us at the ſame Time to the ſeveral Parties.

To this they replied, that to prevent this Difficulty, they were content we ſhould by Advance, be poſſeſs'd of all the Anſwer they could give to the Pretenſions of the ſeveral Allies, until they ſaw the Anſwers which they now intended: That as to the Emperor, *Denmark*, and *Brandenburgh*, they ſtill inſiſted upon the Treaty of *Weſtphalia*: That as to *Spain*, they would make no Reply at all, until they thought fit to advance more reaſonable Pretenſions than their firſt had been: That as to the States, they muſt ſay the ſame, as to that Part of them which concerned the Prince of *Orange*, which they conceived likewiſe to be out of all Reaſon, by pretending to reduce the Affairs of that Principality to another State than what they were in before the War: That as to the reſt which concerned the States themſelves, they conſiſted chiefly in their Propoſitions about a Reglement of Commerce, which they, the *French* Ambaſſadors, had received from the *Dutch*, and tranſmitted to their Court, with their own Obſervations upon them, from whence they expected an Anſwer in a ſhort Time.

This, they ſaid, was in ſhort all the Anſwer they could give to the Pretenſions of the Allies, and they were contented we ſhould know it by Advance, and communicate it to them whenever they ſhould think fit to put their Anſwers into our Hands.

Upon Communication of the ſame Meſſage to the *Swediſh* Ambaſſadors, they ſaid no more, but that they ſuppoſed this had been concerted among the Allies, and that they thought it neceſſary to concert with theirs, (the *French* Ambaſſadors) before they gave us any Anſwer upon it.

The *French* Ambaſſadors, upon Notice of the *Imperialiſts* having ſent us their new Powers, in Order to an Exchange between the Parties, deſired a private Communication of them before the Exchange were made, to the End they might be ſatisfied, whether the Emperor had in them given the Stile which was due to the King their Maſter.

We excuſed ourſelves, as conceiving it a Thing unequal, that ſuch Communications ſhould be made to one and not to the other: But we offered to propoſe it to the *Imperial* Ambaſſadors, that it might be done on both Sides at the ſame Time, which we did accordingly, and found the *Imperialiſts* contented with it; ſo as Copies were ſent on both Sides without the Originals, or any Authentication of them. But we have not yet heard whether they are approved, tho' we do not ſee the *French* Ambaſſa-

Ambaſſadors can have any Occaſion of Exception againſt the Stile given by the Emperor.

We ſend you incloſed the Copies of them, wherein we could not but obſerve, that the Stile of *Sereniſſimi & Potentiſſimi*, is given both to the *French* and *Swediſh* Kings; whereas that of *Sereniſſimi* only is given to his Majeſty, in the Mention there made of his Mediation. We ſuppoſe the Stiles are uſually given according to formal Agreements between the Crowns, and therefore do not know what Reflexion his Majeſty may think fit to make upon this Difference, but thought it however our Duty to obſerve it to you.

In the ſame Conference with the *Imperial* Ambaſſadors, we took Occaſion to tell them, that we had received the Letter from them, which we ſent you a Copy of in our laſt, concerning their Maſter's Intention of admitting the Pope and *Venetian* Mediations; and that we ſuppoſed they did not expect any other Anſwer from us, than only the Aſſurance of our having received it, and having tranſmitted a Copy of it to his Majeſty. They told us, that they meant it only as a Declaration of their Maſter's Intention in that Matter, tho' they knew both his Majeſty and the Parties were already acquainted with it.

We found by them in the ſame Conference, that they expected we ſhould return our Anſwer to the Body of the Allies, upon the Meſſage we had received from them, about the Anſwers to the Pretenſions of *France* and *Sweden* being ready in their Hands: But we ſince perceive, by ſome Diſcourſes of M. *Beverning*'s, that there had been a great deal of Difficulty among them, in agreeing upon that Meſſage; the *Imperialiſts* contending, that both theſe Anſwers, and all other Paces in the Treaty, ſhould be made at the ſame Time, and by common Concert, among all the Allies; and he, M. *Beverning*, maintaining there was no ſuch Obligation among them, but that every one might purſue his own Negotiation at ſuch Times, and in ſuch Manner, as he thought fit, provided he communicated to the Allies all the Paces he ſhould make, and concluded not the Treaty without their Conſent. He ſaid, that he had told Count *Kinski* plainly, he had no Anſwer to make upon the *French* Pretenſions, which contained nothing elſe as to the States his Maſters, but a kind of a Complement, of the Moſt Chriſtian King's being willing to return into Friendſhip with them, and to hearken to their Propoſitions about a Reglement of Commerce: That he had ſince propoſed to the *French* Ambaſſadors, what the States deſired upon that Subject, and had a long Conference with them upon it, from whom he now expected an Anſwer; and therefore did not know how he could join with the Allies in giving any formal Anſwer to the *French* Pretenſions: That however, he had been content the Meſſage ſhould go in all their Names, and not to divide from his Allies upon ſuch a Point as that, tho' he ſeemed much unſatisfied with Count *Kinski*'s pretending to arrogate to himſelf a kind of Superiority in the Management of all their Affairs, and to oblige the Allies to make the ſame Paces with him in the whole Courſe of the Treaty; and for his Part, he ſaid, he was indifferent whether we returned an Anſwer of the Meſſage to the whole Body of the Allies, or to each of the Miniſters in particular. We told him, we ſhould find ſome Difficulty in both; as to the latter, becauſe we had no Intercourſe with the *Brandenburgh* Ambaſſadors; and as to the firſt, becauſe we found Count *Kinski* made a Difficulty of yielding the Place to us formerly in a third Place, where the Meeting of the Allies was ſometimes appointed. He agreed with us in complaining of this Punctiliouſneſs in

Count

Count *Kinski*, but left the Thing to take its Fortune, or to be governed by us, as we thought fit, when we ſhould receive an Anſwer from the *French* and *Swediſh* Ambaſſadors. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 3 d May, 1677.

Right Honourable SIR,

OUR laſt was of the 30*th* paſt, ſince which we have the Favour of yours of the 24*th* of *April* to acknowledge; and we humbly thank you, for that in it you are pleaſed to let us know the true State wherein the Duke of *Holſtein*'s Affairs do ſtand at this Time, as to the Interpoſition and Offices that may be expected from his Majeſty; for the Counſellor of that Duke hath made Mention to us at large of his Majeſty's Guaranty, and told us, that the Duke hath ſince waved the Pretenſions he may have to his Majeſty's Favour and Support as Guarand, and did throw himſelf wholly upon his Offices, to compoſe thoſe Differences *à l'amicable*.

IN ours of the 26*th* paſt, we gave you an Account, how that M. *Heugh* had deſired us, to let the *French* Ambaſſadors know, either at the Time his new Powers ſhould be communicated to them, or at any other Conference that we ſhould have with them, that the King his Maſter pretended it ſhould be *ſans conſequence*, that he inſiſted not at this Time to have the *French* Powers to treat with the *Dane* penn'd in the *Latin* Tongue, or elſe his own Powers admitted in the *Daniſh*.

ON *Friday* we acquainted the *French* with this Pretenſion of M. *Heugh*, they ſtormed very much againſt it, as a kind of Proteſtation intended to be thus inſinuated; they ſaid, they would hear no more of it, not eſpecially from the Mediators; that they underſtood the Communication of his Powers to have been made purely and ſimply without Reſerve; and that they had the more Reaſon to declare againſt it, for that this very Thing had been propoſed as an Expedient, when this Point came firſt in Debate; and that they, the *French*, did then abſolutely refuſe to give Way to it, being then reſolved, as they are ſtill, not to treat at all, rather than to admit of ſuch a Proteſtation, or to change their Language into *Latin*, or elſe to treat upon his Powers in the *Daniſh*.

ON *Monday* Evening we acquainted M. *Heugh* with this Anſwer of the *French* Ambaſſadors: He told us, he did in a Manner expect to receive ſome ſuch Anſwer, and therefore it was, that he did not deſire the Thing to be moved to them, till the Communication was over, leſt it bring an *Accrochement* upon it; however, that he had had his End in ſome Meaſure, for that his Maſter may, at another Time and Place, inſiſt upon this Pretenſion again; and if it happen that the Example of this Treaty be alledged againſt him, he will be able to ſay, that there was a Proteſtation inſinuated at this Time, and for Proof of it Recourſe may be had to the Teſtimony of the Mediators; yet that which Way ſoever the Thing be taken in future Ages, it can be no great Prejudice, he ſaid, to *Denmark*, in Regard that *England* hath not in the like Caſe inſiſted upon it, but hath given *Latin* Powers, while thoſe of *France* were in *French*; adding, that it was very well

known, that the Crown of *England* did not in the leaſt yield to that of *France*, in any Point of Prerogative.

In our laſt we acquainted you, that we had carried the ſame Meſſage to the *Swedes* Ambaſſadors, as we had done to the *French*, from the Body of the Allies, touching their being ready with their Anſwers upon the firſt Pretenſions of *France* and *Sweden*; and that all the Anſwer we had then from the *Swedes* was, that as the Allies had concerted the Meſſage we were charged with, by a common Deliberation among themſelves, ſo they, the *Swedes*, reſerv'd themſelves, as to the giving any Anſwer, till they had ſpoken with the *French*.

On *Tueſday* they took an Hour of us, and gave us their Anſwer to this Effect: That they, for their Parts, had no Difficulty to put their Anſwers in Writing to the Pretenſions of the Allies againſt the Crown of *Sweden:* But that the *French* Ambaſſadors having preciſe Orders from their Court, not to engage any further in Writing, they were ſo far moved with the Reaſons given for thoſe Orders, that they thought it their wiſeſt Courſe to forbear Writing likewiſe; hoping thereby, that thoſe great Lengths and frequent Sharpneſſes, that are incident to Writing, would be avoided, and a quicker Diſpatch given to the Treaty by Conferences, and the frequent intervening of the Mediators; only they reſerv'd to themſelves, that if the Allies ſhould happen to put any Thing into their Writings to juſtifie the War, then it might be free for them to reply in Writing; nor did they go ſo far with us in this Conference, as the *French* had done in theirs; by leaving with us the Anſwer they intended ſhould be given by Word of Mouth upon the Pretenſions of the ſeveral Allies, they, the *Swedes*, expecting firſt to know what Reſolution the Allies will come to, when they find that neither the *French* nor the *Swedes* will anſwer in Writing.

Being thus poſſeſſed of the ſeveral Anſwers of the *French* and *Swedes*, our next Care was to communicate them to the Body of the Allies, (as M. *Kinski* had told us it was deſired) ſo as not to do ourſelves any Prejudice, either by interfering with the *Imperialiſts* in a 3*d* Place, or by going beyond our Commiſſion with the *Brandenburghers*. Therefore on *Tueſday* Evening I Sir *William Temple*, in a Viſit I gave Count *Kinski*, diſcourſed the Difficulty between us and him to the full, and at laſt we came to that Concluſion between us two, as that I was ſatisfied, that either the Point would be yielded us, which I found him not very averſe from, (the Allies having endeavoured to bring the *Imperialiſts* to it) or elſe that the Conference ſhould be aſſigned in his Houſe, where we ſhould be put to no Difficulty about the Rank.

We therefore thinking it beſt to give him the moſt Time we could, to conſider and adviſe upon the Point, did not demand a Conference with him and the reſt of the Allies, till yeſterday in the Evening: Whereupon he ſent his Secretary to tell us, he and the Allies would give us a Meeting this Morning at 11, (not at any of their Houſes as it hath been hitherto, but) at the Publick Place of Meeting, which they took up ſome while ſince, being the Place where the Nobles of *Guelderland* have their Aſſemblies adjoining to the Stadthouſe.

At our Hour we went to the Place, and having gone to the *Baſſe-Cour* in our Coach, we found at the outer Door of the Antichamber to the Room for Conferences, M. *Kinski*, M. *Heugh*, and M. *Beverning* (deputed as we have been told by the whole Alliance) to receive us.

In the inner Room we found Chairs without Arms ſet for all the Company Circle-wiſe; I the Lord *Berkley* went up towards the Fire,

and

and took the uppermoſt Chair, with my Back to the Middle of the Chimney, Sir *William Temple* took that on my Right Hand, and Sir *Leoline Jenkins* that on my Left; the reſt of the Company after us took up their Seats, but ſeemed in doing it to affect a kind of Confuſion, yet without any Ceremony or Difficulty between themſelves: Meſſieurs *Kinski*, *Stradtſman*, *Ronquillo*, and *Blaſpiel*, ſat (in that Order) below Sir *W. Temple* at his Right Hand, in a kind of a Semi-Circle, on that Side that was furtheſt off the Door: Meſſieurs *Beverning*, *Somnitz*, and *Heugh*, made the other Semi-Circle (in that Order) below Sir *L. Jenkins* on his Left Hand, on that Side that was neareſt the Door; and M. *Chriſtine* ſat the loweſt in the Circle, right over-againſt me the Lord *Berkley*.

After that we had given them an Account of the Anſwer that the *French* and *Swedes* had made us, upon the Overture we had made them from the whole Alliance, M. *Kinski* ſpoke for all, and firſt he gave us Thanks for the Pains we had taken, in paſſing our Offices between them and their adverſe Parties, in the Matter recommended to us; next he took upon him to make a ſpecial Acknowledgment, (*recognoiſſance* was his Word) for that we had taken the Pains, *de porter dans leur hoſtel qui eſt propre au Corps de l'Alliance*, the Anſwer that we had been charg'd with; and in the laſt Place, he ſaid, that they had nothing at preſent to reply, but would deliberate upon the Matter among themſelves, and then we ſhould hear from them.

Thus this Conference, as to the Subject-Matter of it, was quickly over, and after ſome few Words of Familiarity between us and them, as we were riſing up to go out, the ſame three Perſons, M. *Kinski*, *Heugh*, and *Beverning*, reconducted us to the outer Door of the Anti-chamber where they had receiv'd us, and where our Coach ſtood.

We take Leave now to incloſe the Copy of a Letter we had the Honour to write to his Highneſs the Prince Elector *Palatine*, in Anſwer to one from him, whereof we ſent you a Copy ſome while ſince. We beg your Pardon that this does not come ſooner, and remain always, Sir, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 7th May 1677.

Right Honourable Sir,

SINCE our laſt of the 3*d*, we have received the Favour of one from you of the 1*ſt* Current, with an encloſed Copy of the Elector of *Brandenburgh*'s Letter to the King, in Purſuit of his Ambaſſadors Pretenſions; and cannot but obſerve, how much the Stile of it agrees with their Carriage here, but will hope they are better informed in what they alledge to have paſſed at *Munſter*, than their Maſter is, in what he affirms to have paſſed in this Congreſs; wherein we may ſay, without ill Manners, that either we are very ignorant, or his Highneſs is very much miſtaken; for having been the firſt that entred the Liſts with his Ambaſſadors, we could neither follow the Examples of his Enemies, nor take Notice of the Honours done here by his Friends, nor had we the leaſt Part in deſiring he ſhould treat under other *Enſigns* (as he calls it), tho' as great Princes are content

to do ſo, and M. *Spanheim* tells us, the Prince Elector *Palatine* reſolves to go that Way upon Choice.

In our laſt, we gave you an Account of our Conference with the Allies, in their publick Place of Meeting, upon the Subject of the *French* and *Swediſh* Ambaſſadors, refuſing to give in their Anſwers in Writing. The next Day being *Friday*, we gave an Hour, which was deſired of us by Count *Kinski*, M. *Heugh* and M. *Beverning*, as deputed to us, from the Body of the Allies. They told us, that having conſidered of the Reſolution of their adverſe Parties, and how much it imported, that in ſuch a Pace as this, which was to be the Ground of the Treaty, the Anſwers ſhould be certain, and not ſubjected to the Miſtakes that might happen by a Report, wherein the Omiſſion, Addition, or Change of one Word, might ſometimes alter the Senſe of a material Point: They deſired us, to find out and propoſe ſome Expedient in the Caſe; we told them, we could think of no other, but either purſuing the Treaty by Conferences between the Parties, wherein we were ready to aſſiſt, if they could agree upon the Manner of them; or elſe that each Party, upon their Diſcourſes to us, ſhould be content to let us draw up in Writing upon the Place, the Subſtance of it, read it firſt to them, and if they approv'd it, then communicate it in the ſame Manner to the adverſe Party.

They judged the firſt to be attended with too many Difficulties to be thought of, but approved the latter in the following Paces of the Treaty, if the Parties ſhould conſent; only they ſaid, that for their preſent Anſwers, they were reſolved to give them us in Writing, the whole Negotiation being to turn upon them.

They deſired to know, whether we had any Orders from his Majeſty upon the Pretenſions of the *Brandenburgher*'s Ambaſſadors, and that we would renew their Inſtances in that Affair to the *French* and *Swediſh* Ambaſſadors, to the End there might remain no Difficulty in the Interviews between them. We promiſed this laſt, and aſſured them to be as yet wholly without Orders from his Majeſty, who had been of late ſo much taken up with the Seſſion of Parliament.

The next Morning, we acquainted the *French* Ambaſſadors with what had paſſed in this Conference; they ſeemed ſtill reſolved, not to give their Anſwers in Writing, but ſatisfied with our Propoſal of drawing up the Subſtance of what ſhould on each Side be diſcourſed to us, and communicating it ſo to the adverſe Party, ſince by thoſe Means, we might leave out any Sharpneſs which might fall from any of them, as well as by the Way of Report, in what ſhould paſs between them. But upon the whole, they referr'd themſelves for giving us their Reſolution, till they ſhould have firſt conferred with their Allies, the *Swedes*. Only they ſeemed much unſatisfied with the Reſolution of the Allies, to make their firſt Anſwers in Writing, which they ſaid, could be deſigned only for the making of *Manifeſto*'s upon this Occaſion.

In the Afternoon we ſpoke with the *Swediſh* Ambaſſadors upon the ſame Subject, and found them clear in the Point; not only contented with our Expedient in the following Paces of the Treaty, but likewiſe conſenting to uſe it in theſe firſt Anſwers, tho' the Allies ſhould give them in Writing; they only reſerved to themſelves, the Liberty of replying in Writing, in Caſe the Anſwers of the Allies contained any Thing of Juſtifications which ſhould make it neceſſary.

As to the *Brandenburgh* Pretenſions, the *French* anſwer'd, they had Orders to admit of no Innovation, in what had been the Stile hitherto

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uſed between the King their Maſter and the Electors, and which at leaſt all other Electors, had been content to receive both at *Munſter*, *Nuremberg*, and *Frankfort*; that if the Elector of *Brandenburgh* pretended more than the reſt, as *Duke of Pruſſe*, they would not upon that Regard, give his Miniſters, as much as the Stile of Ambaſſadors.

The *Swedes* ſaid, they had repreſented the Allegation of the *Brandenburgh* Ambaſſadors to their Court, but had received no Anſwer by Reaſon of the Difficulty in the Paſſage of their Letters, and that without new Orders, they could change nothing of what had been the Stile obſerved at *Munſter*.

M. *Spanheim* took Occaſion ſome Days ſince, to mention to Mr. *Chudleigh* ſome Exceptions the Prince his Maſter took at the Stile of our Letter, whereof we ſent you a Copy, pretending the Appellation ſhould have been *Sereniſſime Princeps, Elector & Domine*, &c. that the Treatment in the third Perſon, ſhould have been *Serenitas Electoralis*, inſtead of *Celſitudo Electoralis*, and ſent us a Letter from the *Swediſh* Ambaſſadors at *Cologn* in that Stile. We thought fit Mr. *Chudleigh* ſhould anſwer him, that we had been wholly unvers'd in the *Latin* Stile uſed by his Majeſty's Ambaſſadors to Electors; that for this Reaſon we had put an open Copy of our Letter at the ſame Time into M. *Spanheim*'s Hands, and if he had found any Exception to it, ſhould have endeavoured his Highneſs's Satisfaction, as we ſhould to inform ourſelves better againſt another Occaſion; and that his Highneſs might be ſure we ſhould upon all Occaſions, expreſs more particular Reſpect and Honour to his Highneſs, than to any other Elector upon the Account of his being a Prince of his Majeſty's Royal Blood.

We cannot but obſerve upon this Incident, that the new Stile of *Serenitie* is grown a Pretenſion generally inſiſted on by the Electors, as given them by Treaties with the *Northern* Crowns, in Return of *Regia Majeſtas*; tho' you ſee no more than *Serenitas* is given his Majeſty by the Chancery of *Vienna*: Upon which we ſhould be glad to receive your Reflexions for our Conduct with thoſe Princes, in the Courſe of our Negotiation here. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 10th May, 1677.

Right Honourable Sir,

Our laſt was of the *7th*; ſince which we have none from you to acknowledge. We told you in it, how the *French* Ambaſſadors had on *Saturday* laſt given us their Thoughts, both againſt the Way of anſwering by Writing, that the Allies intended to take, at leaſtwiſe for this firſt Turn, and for the Temperament we had propoſed of taking in Writing, as by Way of Notes, what the Parties ſhould charge us with, but that they did not then give it us for their Reſolution, till they ſhould firſt ſpeak with the *Swediſh* Ambaſſadors.

We heard not from them till *Tueſday* at four a Clock, which was the Hour they took; they then told us, they had come to a Reſolution jointly with the *Swedes*, to give their Anſwers to the Pretenſions of the Allies, by Word of Mouth, and not in Writing. That they accepted of the Expedient we had diſcourſed to them of on *Saturday*, which

which was, that we, the Mediators, ſhould ſet down in Writing, what the Parties ſhould find Cauſe to dictate to us, and ſo communicate it, that there might be no Room for doubting of the Certainty; that this Acceptance was upon Condition that the Allies ſhould give in to the ſame Expedient, and begin to do ſo from henceforwards, that ſo the *Reciproque* might begin between them upon this Exchange, and the Pretence of the Allies waved, of giving in their Anſwers in Writings of their own for this firſt Turn.

THIS they gave us for their Anſwer, telling us, the *Swedes* would come and declare themſelves upon theſe Points to the ſame Effect; only they added, that they hoped, we would employ our Offices in diſſwading the Allies from their Writing; the Jealouſy they, the *French*, have, being very apparent, that there is ſomething intended in thoſe Writings to impeach them, and juſtify the War on the Allies Side; and they deſired us, that in Caſe we ſhould not be able to prevail with the Allies, but that they will needs thruſt their Writings upon us, we ſhould acquaint them the *French*, with it, before any further Step be made, that they may conſider what they have to do next. Here we ſhall crave leave to obſerve unto you, that about an Hour before this Conference with the *French*, M. *Kinski*'s Secretary had brought us the Anſwers of the ſeveral Allies, ſealed up, and in one Pacquet ſuperſcrib'd to us. It was obſerved to him, that there was no ſuch Haſte, in Regard it was not yet agreed, how the Anſwers of the Parties ſhould be communicated each to other: He ſaid, his Orders were to conſign the Pacquet into our Hands, and to deſire our Offices in communicating the ſeveral Anſwers incloſed in it, to the reſpective Parties they are intended for.

WE took the Pacquet, but did not think fit to open it, till we have negotiated the Point in Controverſy of *Writing*, or not *Writing*, to ſome Iſſue: But this haſty Step of the Allies, is an anticipating of what themſelves propoſed at firſt, which was, that the Mediators ſhould name a Day, and then the Anſwers ſhould be exchanged on both Sides, yet they give in theirs, before any Day is named, and before it be known, whether their adverſe Parties will anſwer or not, in Caſe they do perſiſt finally in this Way of Writing.

THE *French* Ambaſſadors, in the Conference above-mentioned, told us, that having received ſome while ſince from our Hands, a Project of a Treaty of Commerce with *Holland*; and having ſince received the Pleaſure of the King their Maſter upon it, they would communicate to us, the Anſwer they had already given to M. *Beverning*; which was, that the *Hollanders* ſhould find the Moſt Chriſtian King would be eaſy in ſettling the Commerce of both Nations upon the Foot it was on in 1662. Only in two Points, they muſt not expect any Thing of what they have propoſed; the one was, the Abatement of the 50 *Sols per Tonneau*, which would never be, themſelves having acquieſced in in it by the Treaty of 1662, and having in their own Country eſtabliſh a like Duty upon all Strangers. The other Point was, the reducing of the *traité foraine*, to the Caſe it was in 1634, ſo as not to be afterwards altered; this being a Prerogative, the Moſt Chriſtian King will not have his Hands tyed up in, but will have it alterable as he ſees Cauſe.

IN the Cloſe of this Conference, M. *d'Eſtrades* enlarged further, to acquaint us with the Anſwer they had given M. *Beverning*, upon another Point he had made to them a ſolemn Diſcourſe on; it was, that M. *Beverning* having told them of the Neceſſity of a *Barrier* in *Flanders*, they had anſwer'd him, that the Moſt Chriſtian King taking

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Notice of that Diſcourſe, and finding it to be only in general Terms, without offering him any particular Scheme, there was no Anſwer to be given, but that the King would then give an Anſwer, when any Thing in particular was offered, either by the *Dutch* Ambaſſadors, or the Mediators. This M. *Colbert* took up, and involved in other Diſcourſe, ſo as to paſs it over, which made us think it was not intended for this Conference.

THIS makes us obſerve, that the Communication goes on ſtill between them, and we come not to know of it but by the by, and we know not whether there be not ſomething more than ordinary on Foot between them at this Time, for M. *Beverning* went on the ſudden on *Sunday* Morning laſt out of Town, to wait on the Prince.

THIS is the more remarkable, in that it is immediately after the *French* have had the Anſwer of their Court to give the *Dutch*, both upon the Commerce, and about the *Barrier*; and that it is alſo againſt a Rule that M. *Beverning* had ſet to himſelf, that he and M. *Haren* ſhould never be abſent both at a Time; but M. *Heugh* ſays, this is upon a particular Aſſignation to wait on the Prince, and if he does not find him at *Soeſdyke*, (as 'tis thought he cannot have done) he is to paſs on into *Holland*, in Order to ſpeak with the Prince and the Penſioner together.

YESTERDAY the *Swediſh* Ambaſſadors took an Hour of us at 11, to make their Declaration, (as the *French* told us they would) that they approved not the Way of Writing which the Allies intended; that they liked well of the Temperament that we had propoſed, that what is of Subſtance ſhould be dictated to us, and we ſet it down in Writing, but reſerve to themſelves, in caſe the Allies will needs write, to reply upon them, if they find in their Anſwers in Writing any Thing that gives Offence.

ON *Tueſday* Count *Kinski* brought Count *Wallenſtein*, who arrived here the Day before, to viſit us in our ſeveral Houſes, where paſſed nothing but the ordinary Complements, no more than in the Reviſits we ſeverally gave him yeſterday at Count *Kinski*'s Houſe. He ſays, he will be going about two Days hence, and will not make a Stay for above one Day at the *Hague*, if he do find one of his Majeſty's Yachts (which we perceive he does hope for) come upon the Coaſts.

THE ſame Day with Count *Wallenſtein*, arrived here the Preſident *Cannon*, bringing from the Duke of *Lorain*, who ſends him his Plenipotentiary, a *Plenipouvoir* with the Stile of *Ambaſſador*. He hath likewiſe a Paſſport from the Emperor, which gives him the ſame Stile. We are already much preſſed by ſome of the Allies, to receive him in that Quality; but have anſwered, we can do nothing in it, without Direction from his Majeſty, which we moſt humbly beg.

YESTERDAY, as ſoon as we had diſpatched our Reviſits to Count *Wallenſtein*, we ſent to take an Hour of the Allies, to give them the Reſolution of the *French* and *Swedes*, but hitherto have not heard from them. We remain ever, SIR, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nime-

Nimeguen, 14*th May* 1677.

Right Honourable Sir,

SINCE our laſt of the 10*th*, we have none from you to acknowledge.

The ſame Day in the Afternoon, at an Hour aſſigned, we communicated to the Allies in their Aſſembly, the Anſwers we had received from the *French* and *Swediſh* Ambaſſadors, upon the Expedient propoſed to them by us, about the Way of proceeding in the Negotiation here, either by Writing, or by Word of Mouth: We gave you an Account of thoſe Anſwers in our laſt, and ſhall not trouble you with the Repetition of them. The Allies gave us Thanks for this Communication, but referred us for an Anſwer upon it, to what ſhould be reſolved after Deliberation amongſt them.

The ſame Evening Count *Kinski* came to us ſeverally without Ceremony, and on Purpoſe to introduce the Preſident *Cannon*, who gave us an Account of his being ſent hither from the Duke of *Lorain*, and delivered us a Letter from his Maſter, (whereof we ſend you the incloſed Copy) and at the ſame Time his *Plenipouvoir*, with a Paſſport from the Emperor, and deſired an Hour of us, that he might communicate to us what he had in Charge from the Duke his Maſter.

We obſerved, that in his *Plenipouvoir* the Character given him was only of *Miniſtre Plenipotentiaire*, tho' *Don P. Ronquillo* had told us, that he came with that of *Ambaſſador*; and we found the Paſſport from the Emperor had given him that Stile, which made us gueſs, that he might have brought two Powers with him, and have choſen to produce this upon the Difficulties he foreſaw in the other, by our Anſwer to *Don Pedro* upon this Occaſion.

Upon *Friday* Morning, while we were together, we were told of a Duel that had been fought the Day before, between a *Swediſh* and a *Daniſh* Gentleman, upon the Ramparts of this Town, and wherein the *Swede* had been wounded in the Arm, before they were parted by Company that came in. We eſteemed the Peace of this Place, and the Prevention of ſuch Accidents, to be of ſuch Conſequence to the Congreſs, that we reſolved to go, one of us to the *Swede*, and the other to the *Daniſh* Ambaſſador, and repreſent to them the Senſe we had of it upon this Occaſion, and to deſire them at the ſame Time, that they would inform themſelves of the Perſons who had been engaged in this Quarrel, and when they had found them out, they would give them Order to retire from this Place during the Congreſs; and declare to all their Domeſticks, that they intended the ſame Meaſure to any Perſon that ſhould hereafter be guilty in the ſame Kind, and that they expected, in caſe any Quarrels ſhould happen between Gentlemen here, which could not with Honour be put up, they ſhould at leaſt ſhew ſo much Reſpect to this Aſſembly, as not to decide them, either in this Town, or in any Place within the Neutrality.

The *Daniſh* Ambaſſador made us Complements upon our Care expreſſed in this Affair, and tho' he ſeemed much concerned to part with Count *Rantzow*, who was the *Dane* engaged in this Buſineſs, yet he told us with great *Honnêteté*, that he had ſo much Deference for us the Mediators, that he ſhould ſubmit himſelf to this, or any other Rules we ſhould preſcribe.

The

THE *Swediſh* Ambaſſador was not ſo frank in expreſſing himſelf in this Caſe, but referred himſelf to the Informations he ſhould receive, and to the Guilt or Innocence he ſhould find to have been in the Carriage of the *Swediſh* Gentleman upon this Occaſion.

WE have ſince in ordinary Converſation communicated to Count *Kinski* and the *French* Ambaſſadors, the Offices we had performed in this Affair, who were pleaſed much to applaud our Care for the Peace and Order of this Aſſembly, and to expreſs their own Reſolutions, of obſerving what we had propoſed in Order to it.

UPON *Saturday* Morning, at an Hour aſſign'd, the Duke of *Lorain*'s Miniſter came to us, and after the uſual Complements upon his Majeſty's Mediation, he deſired us to make the Exchange of his Maſter's Pretenſions with thoſe of *France*, and to make Way for his viſiting the *French* Ambaſſadors here, ſince there remained no Difficulty in Point of Character between them; and added, that tho' his Maſter had taken this Reſolution, of ſending only Miniſters and Plenipotentiaries, to avoid the Embarraſs, which he foreſaw the other Stile would produce, yet he pretended not to prejudice the undoubted Right he had of ſending Ambaſſadors, nor the Intentions he might have of uſing them, whenever it ſhould be allowed him by his Majeſty and the Moſt Chriſtian King; to this End, he deſired us, that we would perform our Offices firſt towards his Majeſty in this Behalf, and then towards the *French* Ambaſſadors, at ſuch Time, and in ſuch Manner, as we ſhould think moſt proper for it.

IN the Afternoon M. *Heugh* and Count *Kinski* came to us, as deputed from the Body of the Allies; but their Buſineſs was no other, than to make their Excuſes for the Retardment of ſome few Days in giving us their Anſwer to what we had reported to them from the *French* and *Swediſh* Ambaſſadors, concerning the Method of proceeding in this Negotiation: They told us, that the Thing being of great Importance, and of Conſequence as to the whole Courſe of the Treaty, they had not thought fit to come to any Reſolution upon it in the Abſence of the *Dutch* Ambaſſadors, whoſe Return was every Day expected.

THE ſame Evening we acquainted the *French* Ambaſſadors with theſe Excuſes of the Allies, and with the Deſires of the *Lorain* Miniſter: They took little Notice of the firſt; and upon the other, they ſeemed to make no Difficulty of receiving his Pretenſions, after they ſhould have ſeen his *Plenipouvoir*, and been ſatisfied with them. As to his Viſits, M. *d'Eſtrades* and M. *Colbert* ſaid, they muſt firſt know, whether he had viſited the *Spaniſh* Ambaſſadors; but M. *d'Avaux* obſerving, that there was none yet here with that Character, they concluded there would be no Difficulty in it, when he ſhould ſend to them to deſire it in the due and uſual Forms.

YESTERDAY I, Sir *L. Jenkins*, making a Viſit to M. *de Haren*, who was returned the Night before out of *Friezland*, he told me, that M. *Beverning* would not be back yet in 10 Days, being forced to go after the Prince into *Flanders*, having, it ſeems, come too late to overtake him in *Holland*, before his Return to the Army: He ſaid, he found it given out here in Town, that M. *Beverning* had made that Journey, upon Occaſion of a Conference the *French* Ambaſſadors had had with him, upon yeſterday was ſevennight; but added, — *il ne m'en mande rien luy même, & je ne crois pas qu'il y ait eu une Conference formelle entr' Eux, quoq; Meſſieurs les Ambaſſadeurs ayent eſté pour faire Viſite ce jour là.*

I having given him ſome Account of what the *French* had told us, of the Anſwer they had received from their Court, both upon the Project of the Marine Treaty, and upon the *Barrier*, they, the *Dutch*, had made Mention of in their Conference with the *French*, as deſiring to have one in *Flanders:* He anſwered, that it was true they had propoſed in their Project the taking away of the 50 *Sols per Tonneau*, and the reducing of the Treaty *forraine* to a certain Foot, but had no great Hopes to carry either; only the not obtaining it would give the fairer Occaſion to them to do ſomething of the ſame kind in their own Ports. That as to the *Reglement of Commerce* between them, the *French* had told them, in that firſt and only Conference they had had together, that they, the *Dutch*, ſhould find the Moſt Chriſtian King more or leſs eaſy, as they ſhould reſolve to negotiate with him a ſeparate Peace, or otherwiſe. As for the *Barrier*, that the *French* Ambaſſadors had told them in the ſame Conference, that there was no need of any, their Maſter, the Moſt Chriſtian King, being reſolved to live quietly and fairly with his Neighbours, and that he would have no Cauſe to do otherwiſe with Republicks (Witneſs his conſtant good Neighbourhood maintained with the *Swiſſes*); for that Republicks being not apt to deſign Conqueſts upon their Neighbours, they might be ſecure *France* would deſign none upon them the Republicks: To which they, the *Dutch* Ambaſſadors, could not forbear, as he ſaid, but reply, that the Memory of thoſe Conqueſts the Moſt Chriſtian King had ſo lately made upon their Republick was ſo freſh, that they could not by any Means diſpoſſeſs themſelves of Fears, that the like might be attempted upon them again.

To this the *French* Ambaſſadors rejoyned, that all was now reſtored to the *Dutch* by the King their Maſter; yet they could not hold, as M. *Haren* ſaid, but tell them, 'twas true moſt of their Places were reſtored by a Turn that had happened in Affairs, which if it had not happened, it appeared by the Propoſitions of Peace offered them, the *Dutch*, at *Cologn*, and otherwhere, what Manner of Reſtitution *France* did otherwiſe intend to make to this Republick.

The main Remark that he was pleaſed to make to me upon this was, that the Way of direct immediate Conference between Party and Party did not appear to him ſo practicable, the Experience he had in this ſingle Conference ſhewing the contrary; for when they, the *Dutch*, did find the *French*, as they often did, *poſitifs*, they could not but reply upon them with ſome *Fermeté*, ſo that ſuch a Manner of Conference would almoſt unavoidably end in *Aigrettes*.

The Reaſon he ſeemed willing to have underſtood of M. *Beverning*'s Journey into *Flanders* was, that they might, by having fuller Inſtructions, be the better enabled to make up their own Matters with the *French*, and afterwards enter upon ſome kind of Mediation with their Allies; the Stiffneſs of them, and the Unreaſonableneſs of their Demands, rendring it neceſſary for them ſo to do, tho' they ſtill ſtick cloſe to their Obligations to *Spain* and *Lorain*. Since the writing of this, we have the Favour of yours of the 8*th*, upon which we find nothing to return, beſides the Profeſſions of our being always, Sir, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nime-

Nimeguen, 17th May, 1677.

Right Honourable SIR,

OUR laſt was of the 14*th*, ſince which we have to acknowledge the Favour of yours of the 11*th* Current, and therein a Memorial and an Extract relating to Mr. *Hebdon*, his Majeſty's Envoy in *Ruſſia*, which we ſhall take Care to make the beſt Uſe of we can, as Occaſion ſhall offer, and particularly of his Majeſty's total diſavowing of the Exceſs that is laid to the Charge of that Envoy.

ON *Monday* laſt in the Evening, M. *d'Avaux* giving me the Lord *Berkley* a Viſit, took Occaſion to enquire of me, with ſome Concern, whether we had yet heard any Thing of the Moſt Chriſtian King's Letter to his Majeſty, whereby he propoſed a General Suſpenſion of Arms for *ſome Years*, and whether we had any Orders upon it.

I told him, we had ſent to Court a Tranſcript of the Copy of that they had left with us, but had not received any Orders upon the Letter, nor ſo much as heard that ſuch a Letter had been delivered to his Majeſty; which I attributed to the Shortneſs of Time ſince his Majeſty's Return from *Newmarket*: He ſeemed to wonder at it very much, and ſaid, that there had been ſince another Propoſition yet more moderate, made to his Majeſty by the Moſt Chriſtian King, which was, that if the Allies did not like of a General Ceſſation, he would be content to come to a particular one for the *Spaniſh Netherlands* only: Upon all this I had nothing to reply, but that we had not yet heard one Syllable from Court, either of the one, or of the other, there having been but little Time for Diſpatch of Buſineſs ſince his Majeſty's Return from *Newmarket*.

THE ſame Evening a Counſellor of the Prince and Biſhop of *Oſnabrug*, and his Reſident at the *Hague*, having a Mandate from his Maſter to make a Journey hither, on purpoſe to put into our Hands his Pretenſions in the General Peace, preſented us with the Mandate and the Pretenſions, ſaying, he had no more, when that was done, but to deſire a Certificate (which was given him), that he had put them into our Hands, he being to return forthwith to his Poſt at the *Hague*; a Copy of the Pretenſions, and of the Mandate, as alſo of the Certificate, goes herewith.

THE firſt Article of the Pretenſions, which is, that his Maſter ought not to be abridged the Liberty of giving what Character he ſhould think fit to thoſe Miniſters he ſhould ſend hither, he did inſiſt upon with ſome Earneſtneſs, enlarging much upon the Reliance the Prince his Maſter hath upon his Majeſty's ſpecial Protection and Support in that Point.

ON *Tueſday* Meſſieurs *Kinski*, *Heugh*, and *Haren*, took an Hour of us at 11 for a Conference, in which their Buſineſs was to acquaint us, *firſt*, That the whole Alliance had reſolved the ſeveral Anſwers to the Pretenſions of the Allies of the other Side ſhould be in Writing for this Turn, and that it was their Deſire we would give to the ſeveral Parties thoſe Writings we had now in our Hands, as the Anſwers the Allies intended, and had addreſſed to them.

THE Reaſons they gave for their anſwering in writing this Time were, that they found their Conveniencies in this Method for the preſent; that they had given an Account of thoſe Writings to their ſeveral Courts, as the Anſwers they had given in; and that ſome of them had

already received the Judgment of their Principals upon what they had done. Another Reaſon they offered was, that theſe Anſwers were put into our Hands before the Expedient had been propoſed by us; but that could not, as it happen'd, be made out upon Computation, and ſo they waved it.

THE *ſecond* Thing they told us upon this Subject was, that for the Expedient we had propoſed, of taking in Writing what the Parties ſhould think neceſſary to dictate to us, they approved of it, and accepted it as a proper Temperament in many Caſes; yet they ſaid, as it was not neceſſary to dictate and put in Writing every Thing that paſſed between the Parties, ſo it would be neceſſary in ſome Caſes for the Parties to declare themſelves in Writings, that ſhould be digeſted in good Form; that therefore they reſerved to themſelves, the entire Liberty of having Recourſe to that Method, when they ſhould find the Nature of the Subject Matter to require it, notwithſtanding their Acceptance of our Expedient.

ANOTHER Thing they entred upon in this Conference was, that they having given an Account to the *Brandenburgh* Ambaſſadors of the Anſwers we had had from the *French* and *Swedes* upon the Pretenſions of thoſe Ambaſſadors, that the ſecond ſhould have the ſame Treatment with the firſt, they had now a Reply put into their Hands to thoſe Anſwers: Then M. *Kinski* taking out a Paper, (the Copy whereof goes herewith incloſed) deſired he might be permitted to read it to us, and having read it, he left it with us.

AT three a Clock the ſame Day, having had an Hour of the *French*, we made our Report to them of what the Allies had given us in Charge; they diſcourſed the Matter with us for ſome Time, telling us, 1*ſt*, That this Way of Writing was not the Way *à une prompte Paix*, which was the Thing his Majeſty's Mediation did drive at, and that they were come for, to this Place.

2*dly*, THAT never was any Peace made by this Way of Writing; that at *Munſter*, after ſome Eſſay, the Parties had been forced to wave it; and that when they came to treat in earneſt, it was done by the Mediators going between, and not by Writing.

3*dly*, THAT they, when they gave in their firſt Pretenſions in Writing, had expreſly declared to us, and ſince to the *Dutch* Ambaſſadors, that they would write no more; and that thoſe Ambaſſadors did then approve of the Courſe they deſigned to keep to.

4*thly*, THAT the ſticking of the Allies ſo cloſe to their Reſolution of Writing, can be no other, but a Deſign to amuſe the World with elaborate Writings, to juſtify their Part in the War; and conſequently, that they, the *French*, muſt take Time to deliberate, whether they ſhall anſwer, or elſe neglect ſuch Writings.

THUS they diſcourſed; but the Reſult was no more, than that they deſired Time to ſpeak with the *Swedes*, before they gave us their Anſwer; M. *Colbert* adding, that they ſaw plainly, the Allies intended ſtill to delay the Treaty, as they had done for ſeveral Months paſt, *mais qu'en attendant le Roy* (*leur Maître*) *n'avoit pas perdu le temps, & ne le fairoit pas encore.*

WHEN we opened to them the other Point of our Meſſage, and acquainted them with the Paper that Count *Kinski* had put into our Hands, as the Reply of the *Brandenburghers*, they deſired us not to read to them that Paper; they would, they ſaid, be excuſed from entring into ſuch a Way of Treating, and would take the Contents of it from us by Word of Mouth. Some Anſwer they thought fit to give,

which

which was to this Effect: They were in Poſſeſſion of giving ſuch a Treatment to the Ambaſſadors of Electors as they now offer, witneſs thoſe Acts of Poſſeſſion uſed by them at *Munſter*, *Nurenberg*, and *Frankfort*. That nothing that M. *de l'Hombres* may have done in the Treaty of *Oliva* ought to be interpreted to the Prejudice of what had been done in thoſe much more ſolemn Aſſemblies; beſides that, M. *de l'Hombres* being, in his firſt Employment, no more but a Reſident at *Liege*, was ſent thence into the *Northern* Parts, and very little looked after, it being in the Times of their Broils, and civil Diſſentions in *France*.

As for what is alledged to have been, ſince the Treaty of *Oliva*, done in *Poland*, they ſaid, they were pretty confident, the Biſhop of *Bezzieres*, the *French* Ambaſſador then in *Poland*, did not miſtake his Meaſures; however, that they would write to Court, to know the preciſe Matter of Fact, both there and at *Oliva*; and that ſince M. *Colbert*, who was preſent at *Frankfort*, is always perſwaded, that he ſaw the *French* Ambaſſadors (Mareſchal *de Grammont* and M. *de Lyonne*) cut between the *firſt* Ambaſſadors of the Elector of *Brandenburgh* and the *ſecond*; they will write to get more particular Informations of what paſſed at *Frankfort* with the *Brandenburghers*; and their charging themſelves to write to Court upon this Occaſion, was all that was poſitive in their Anſwers.

In this Conference, we ſhewed them the Original Powers of the Duke of *Lorain* to his Plenipotentiaries here, and left with them a Copy to conſider of; they told us by the By, the *Lorain* Miniſter, Monſieur *de Cannon*, had viſited them, and that Things paſſed between them with much of Satisfaction. We acquainted them likewiſe, how we were now poſſeſſed of the *Oſnabrug* Pretenſions, and after what Manner they had been put into our Hands; their Anſwer was, that that Prince proceeding, as the Princes of his Houſe had done before, not agreeably to the Forms here, they had no other Anſwer to give to him, but what they had already given upon our Offering them the Pretenſions of thoſe Princes. We minded them likewiſe of the Paſſports we had ſo often deſired of them, for the Deputies of *Hamburgh*; they promiſed to write to Court again about it, not thinking there was more in it, than that it was a Thing clearly forgot.

From this Conference, we went immediately to M. *d'Olivenkrantz*, (his Collegue happening not to be at that Time in Town) upon our Report of what the Allies had reſolved to do in the Manner of Proceeding by Writing; his Anſwer was, he muſt firſt communicate with his Collegue, and then both of them with the *French*; only he obſerved, that it would be a Diſadvantage to them, the *French* and the *Swedes*, not to be endured, that their Anſwers ſhould be by Word of Mouth only, or at moſt, dictated without Form, while the Allies ſhould expreſs themſelves in the moſt deliberate and poliſht Manner that was poſſible. When we acquainted him with what had been committed to us, touching the *Brandenburghers*, in this he was nothing ſo ſcrupulous as the *French*, but deſired he might read their Paper, and take a Copy of it. Upon this Occaſion, we let him know what M. *Heugh* had ſaid, by Way of Anſwer to their Complaint, in that they wanted a Freedom of communicating with their Court, and till that were allowed them, that they could give no Anſwer upon the Treatment demanded by the *Brandenburghers*: It was, that while the Crown of *Spain* had not that Satisfaction it pretended in Point of Freedom for their Couriers, the King of *Denmark* was upon all ſuch Occaſions preſs'd, in Virtue of the ſtrict Alliance between them, not to relax

relax any Thing upon the Demand of *Sweden.* Upon the *Oſnabrug* Pretenſions, his Anſwer was the very ſame with that of the *French*; ſo that now we are to expect the final Reſolution of the *French* and *Swedes* in the Matter of *Writing* or not *Writing*, tho' we are apt to ſuppoſe, from what fell from M. *d'Eſtrades* in the laſt Conference, they will expect the Orders of their Court upon it.

YESTERDAY M. *Spanheim* ſhewed us an Abſtract of a Letter that his Electoral Highneſs the Prince Elector *Palatine* had ſent him, as having received it from *London*; it was dated *24th April*; and by it his Highneſs was adviſ'd, that there was a Miniſter of *Savoy*, the Count *de St. Maurice*, lately arrived at Court, the main Part of whoſe Buſineſs was, to ſollicit his Majeſty, that a Preference may be given to the Dukes of *Savoy*, before the Electors of the Empire, in the Treatment of the reſpective Miniſters in his Majeſty's Court.

THAT his Highneſs was much ſurprized at, as not believing that the Deference which the laſt Duke had been ſtipulating towards the Electoral Collegues, and towards the Prince Elector *Palatine* in particular, could be ſo ſoon forgot, there having a ſolemn Treaty paſſed between the Elector and the laſt Duke of *Savoy*.

1. THAT the Dukes of *Savoy* ſhould, within and without *Italy*, always give Place to the Electors jointly and ſeverally, particularly to the Elector *Palatine*, and ſo between the Miniſters.

2. THAT he ſhould never pretend to other Rank, becauſe of the Title of *Altezza Reale*, and that he ſhould always treat the Elector with the Title of *Serenitas Electoralis*; he ſtipulating to treat him with *Celſitudo Regia*; and that this ſhould laſt between them and their Succeſſors: This Treaty was at *Ratisbone* in *May* 1666, between the Plenipotentiaries of theſe Princes; M. *Spanheim* left a Copy with us, with a Deſire it may be tranſcribed, as now it is, the Copy going herewith, and the Contents of it laid before his Majeſty.

TO this M. *Spanheim* added an Obſervation of his own, which was, that being in *France* upon a Commiſſion with others, at the Time the preſent *Dauphin* was chriſtened, M. *Bonaüiel*, the Introductor of Ambaſſadors there, expreſſed to him his being in ſome Pain, how to place the Miniſters of the Electors, and the Miniſter of *Savoy*, who were to aſſiſt at that Solemnity; but it was reſolved, the Miniſter of *Savoy* ſhould have a Bench beneath that of the Electoral Miniſters; and ſo it was done. This M. *Spanheim* was Eye-witneſs of. We are, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 21ſt May, 1677.

Right Honourable SIR,

SINCE our laſt of the *17th*, we have none from you to acknowledge. The *French* Ambaſſadors came to us, and told us the ſame Evening, that having propoſed that way of Treating, which they thought conduced moſt to the Peace, and having, as much as they could, declined the other, of giving in Papers, which they thought was like rather to retard than to advance it, they had Reaſon ſtill to be of the ſame Opinion: But however, ſince the Allies utterly refuſed it, they accepted the ſame Method they, the Allies, had propoſed to make their

their Anſwers and Replies, either by Writing or by Word of Mouth, as they ſhould find Occaſion; that they did not take this as the beſt Way, but as that alone which was left them to purſue the Negotiation, and to expreſs their Maſter's ſincere Intentions to advance the Peace; that ſince the Allies would not give their Anſwers otherwiſe than in Writing, they would receive them ſo, tho' they had Reaſon to believe the Ground of this Reſolution in the Allies, was rather to make *Manifeſto's* than Propoſals; that when they had ſeen them, they ſhould chooſe which they thought beſt, either to anſwer them or deſpiſe them; that for their preſent Anſwers, they would communicate them to us on *Saturday* by Word of Mouth, and we might, if we pleaſed, take the Subſtance of them in Writing, and communicate them ſo to the Allies; that in the Condition their Maſter's Affairs were at preſent, they could yield ſuch Points as theſe with Honour, and make all Paces neceſſary to facilitate the Peace; but if any Reverſe ſhould happen to them, the Allies ſhould find them more difficult, and they ſhould ſeek their Revenge, which made them think, this was the true Time to make the Peace, when the Armies on all Sides were ſo great, as to have ſome Reſpects one for another.

As for the Powers of *Lorain*, they found ſome Reflexions to be made upon them, in which they muſt have the Senſe of their Court: That as to that Clauſe, particularly of treating for the Reſtitution of that Dutchy, they did not know whether it would be admitted; that they had no Inſtruction at all in this Point of *Lorain*, and did not think that Miniſter pretended his Maſter ſhould treat *tête à tête* with the King their Maſter, or that they ſhould give any Pretenſions to be exchanged at the ſame Time with his, as had been done with the other Allies; that they had nothing to ask of *Lorain*; and that the King their Maſter pretended *avoir le Droit & la Poſſeſſion*, but might be willing to receive *Prince Charles* his Propoſitions, and give ſuch Anſwers upon them as he thought fit.

The ſame Evening, the Pretenſions of the Duke of *Hanover* were given us by his Miniſter reſiding at the *Hague*, and commiſſion'd only to put the ſame Paper into our Hands. We ſend you a Copy of them incloſed, which ſeem to contain nothing beſides the Pretence of the Stile of *Ambaſſador* for his Miniſters, and the Deſires of a General Peace; but that the Treaty of *Hanover*, made in the Year 1675, between that Duke, and *Denmark*, *Brandenburgh* and *Munſter*, ſhould be obſerved and executed in all Points by the Parties. We told him, how ignorant we were concerning that Treaty of *Hanover*; and therefore could not judge, whether it had any Relation to the preſent Negotiation here; he ſaid it had, and that we ſhould certainly find it ſo, by a Sight of the Treaty, which he would ſend us from the *Hague*. However, we found by his Diſcourſes, that his Pretenſions are to have a Share in the Conqueſt of *Bremen*, and to have Recompence for the Winter Quarters which were aſſign'd his Troops. He told us further, upon Diſcourſe of his Maſter's Pretenſions to the Stile of *Ambaſſador*, he and the other Princes of *Germany* ſhould never have ſtirred in it, but that the Elector of *Brandenburgh* had given them the Example; and that being done, they can never let it fall, or ſuffer that ſuch a Diſtinction ſhould be made between the Electors and them.

Upon *Saturday* the *French* Ambaſſadors came to us, and told us, they could make no particular Anſwers to the Pretenſions of the Allies, till they ſhould be reduced to more reaſonable Terms; but in the general, they would tell us what they had to ſay at preſent upon each of

of them, which M. *d'Eſtrades* did very conciſely. But after him M. *Colbert* very diffuſedly, with Length of Reaſons and Juſtifications, ſo far as to ſay, the War with the Emperor was only upon Occaſion of a juſt Defence againſt a very unjuſt Invaſion: And that for *Spain*, they were attacked by them without any Occaſion, and againſt the Faith of their Treaties at *Aix la Chapelle*; which gave them juſt Reaſon to pretend to all which their Arms had gained by the War, according to what had been practiſed in ſeveral former Treaties between the two Crowns, by which *Spain* had made ſo many Acquiſitions upon *France*.

We deſired, that ſince we were to take the Subſtance of their Diſcourſes in Writing, we might know which Method they intended we ſhould follow in the Deduction of them, either that of M. *d'Eſtrades*, or that of M. *Colbert*; they concluded it ſhould be the firſt; upon which we having taken it as near as we could in Writing, they at length, with much Filing, reduced it to theſe following Words: — *Que pour l'Empereur & l'Electeur* de Brandenburgh, *ils ne croyent pas qu'ils pouvoient raiſonnablement pretendre autre choſe que le Retabliſſement entier des Traitez de* Weſtphalie, *à l'Obſervation des quels tant l'Empereur par ſa Capitulation que les Princes & Eſtatz de l'Empire ſont engagez, comme à une Conſtitution, & Loy fundamentale de l'Empire.*

*Que pour l'*Eſpagne, *ils inſiſtent ſur leur premiere demande, à ce que de part & d'autre les Affaires demeurent dans l'Eſtat où le Sort des Armes les a mis à preſent. Eſtants prets en cas que leur ſoit fait cy aprez de la part de ſa Majeſté Catholique des Propoſitions convenables d'y repondre en la maniere, qui on peut raiſonnablement attendre de la Sincerité du Roy leur Maître pour l'avancement de la Paix.*

Que pour le Danemarc, *ils demandent la Satisfaction de leurs Alliez.*

Que pour les Eſtatz Generaux, ils croyent que par la Réponſe dejà donnée à leurs Articles ſur un Reglement de Commerce, ils auront raiſon de ſe contenter.

Yesterday in the Afternoon, having heard nothing in ſeveral Days from the *Swediſh* Ambaſſadors, we went to them, and acquainted them how this Affair ſtood, and that having both the Anſwers of the Allies, and of the *French* Ambaſſadors, in our Hands, we were ready to make the Exchange; but deſired firſt to know, whether they intended to give us in theirs, that ſo the Exchange might be made at the ſame Time between both the Alliances.

They told us we had prevented them, and that they intended to come to us the ſame Afternoon, and give us their Anſwers by Word of Mouth, but reſerving to themſelves the Liberty of replying by Way of Writing, in caſe any Thing of Juſtification in the Anſwers of the Allies ſhould make it neceſſary.

We put them in Mind of the Inſtances we had formerly made, both to them and the *Daniſh* Ambaſſador, for the ſending away thoſe two Perſons, who had lately been engaged in a Duel here, and likewiſe of the Conſequences this Accident might otherwiſe have upon the Peace of the Aſſembly: M. *Oxenſtiern* anſwered us, after ſome Complement, that he had given Order ſeveral Days ſince, for an Information of the Fact to be brought us in Writing, and that he hoped that we would judge how innocent his Domeſtick was of the Quarrel, and that he ought not to be put in the ſame Condition with the *Dane* that was guilty: Hereupon he told us the Story, which was in direct Terms, upon ſome of the main Points, contrary to what the *Daniſh* Ambaſſador had before entertained us with.

We told him, that we did not pretend to be Judges of the Action, but only Advocates of the Peace and good Order of the Congreſs, againſt which they were all equally criminal, who had been engaged in that Action; that if we entered upon Informations, we ſhould find them ſo oppoſite one to another, that it would be likelier to make Quarrels than to prevent them; which we knew no other Way of doing, but by what we had propoſed to both Ambaſſadors upon this Occaſion; therefore we excuſed ourſelves from taking their Informations, and deſired them to conſider further of it, which they ſeemed willing to do.

The *Swediſh* Ambaſſadors have ſince taken an Hour of us, for giving in their Anſwers at four this Afternoon, by which Time this Poſt will be gone; ſo that we only ſend you Copies of the Allies Anſwers to the *French* by this Ordinary, having not opened thoſe to the *Swedes*, as being not yet ourſelves poſſeſſed of theirs to the Allies; we only obſerve, that there are no Anſwers among them from the *Dutch*, either to the *French* or to the *Swedes*. We are ever, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 24th May, 1677.

Right Honourable Sir,

OUR laſt was of the 21*ſt*, ſince which we have not the Favour of any from you to acknowledge.

We acquainted you in our laſt, how we were poſſeſſed of the Anſwers of the *French* to the Pretenſions of the ſeveral Allies, and were in Expectation to have thoſe of the *Swedes* as ſoon as that Poſt was gone; accordingly they came at 4 a Clock on *Monday*, the Hour they had taken. M. *Oxenſtiern* diſcourſed to us at large the Particulars they intended for an Anſwer, and that being done, they put into our Hands the Subſtance of what had been ſaid, to ſpare us, as they ſaid, the Trouble of taking it in Writing, and themſelves of dictating the ſame Things over again; their Paper was in *Latin*.

But being put in Mind, that there would be ſome little Impropriety of Speech in our Report to the Allies, when we ſhould deliver to them in *Latin*, the Subſtance of a Diſcourſe that had been made in *French*, they thought fit to take their *Latin* Paper back again, and to ſend it us in *French* the next Day; the Paper itſelf goes herewith incloſed.

In this Converſation, they took Notice to us of a General Expectation there was of the Nuncio's Arrival within a Day or two, and told us of a Rumour that was ſpread Abroad, that he would notifie his Arrival to all Ambaſſadors and Publick Miniſters indifferently; that they, for their Parts, were not particularly inſtructed what to do; ſome Examples of their own they made us a Relation of, by way of Converſation; the one was, that about 4 Years ago, a Letter being brought from the laſt Pope (by the *Comte de l' Monte*, a Miniſter of Q. *Chriſtine*'s) to their King; the Letter, upon Deliberation, where M. *Oxenſtiern* himſelf had aſſiſted, and after Search made of what the Practice had been in *Sweden* ſince the Reformation, was refuſed, tho' the Contents of it, which was for a Succour to the *Poles* againſt the *Turks*, was found reaſonable to comply with.

They told us of another Thing that fell in the Way of M. *Oxenſtiern* himſelf, while he was lately Ambaſſador at *Vienna*; it was,

that he being to make his ſolemn Entry there, had an Offer made him, by a third Hand, of the Nuncio's Coaches to attend the Entry, but he excuſed it.

OUR Anſwer upon this whole Converſation was, that we, for our Parts, whatever others did, ſhould have no Manner of Commerce with the Nuncio, either in the Buſineſs of our Function, or in Matter of Ceremony, and that our Orders were preciſe to that Effect.

BEFORE we parted, M. *Oxenſtiern* took Occaſion to make a Deduction to us, of the Pains he had taken to have the Truth diſcovered, of what had paſſed between a Domeſtick of his, that had fought a Duel with a Gentleman of the Train of the *Daniſh* Ambaſſador; the Subſtance was, that the Account he intended ſhould be drawn in Writing, and put into our Hands, was not drawn up as he had ordered, which he thought might have amounted with us to an Evidence of the Innocency of his Domeſtick; however, that he was willing to ſubmit that Affair to the Judgment and Diſcretion of the Mediators; only that there being yet no Proviſion made in this Place againſt *Duels* or *Rencontres* between Gentlemen, he hoped we would take Occaſion from this Incident to make ſome Reglement, which may be a Warning for the future to theſe and all other Gentlemen.

M. *Oxenſtiern* having upon this Occaſion let fall ſome Words, as if he had doubted the Sentiment of his Collegue, as not being ſo forward as himſelf to ſubmit all to our Diſcretion; M. *d'Olivenkrantz* took Occaſion next Morning to let us know, he had from the Beginning deſired, that no Manner of Protection ſhould be afforded to the *Swede*, but that he ſhould be ordered to withdraw, as we had deſired, upon our firſt appearing in this Buſineſs; and he ſeemed to concern himſelf much to have us fully perſwaded of his Deſire, from the Beginning, to have this Scandal removed as we had propoſed.

ON *Tueſday* Meſſieurs *Kinski* and *Stradtſman* came to us, to deſire we would think of ſome Expedient to ſatisfie them, in that the Stile of *Invictiſſimus* to the Emperor was wanting in Mr. *Chudleigh*'s Commiſſion: They ſaid, that tho' it was nothing but their Curioſity that had lead them to read it over when it was ſhewed them, yet that that Defect having occurr'd to them, they could not paſs it by, in Regard of ſome Orders they had lately received, of what Titles the Emperor is to be treated with by all the Princes of *Europe*. They did confeſs our Commiſſion had the ſame Defect, but that at the Time ours was ſhewed them, their Inſtructions were not ſo ſtrict as now they are; and in order to convince us the more that it was a Defect, they had ready to produce the Titles that his Majeſty had given the Emperor, in the Letter brought him by Mr. *Skelton* from his Majeſty.

THEY laid a great Streſs upon this Buſineſs, and ſaid, that unleſs we could ſatisfie them, ſo as they might anſwer it to their Court, the Negotiation, as to their Part in it, would be *accroched*, in Regard that they not being able to admit the Exhibition of the *French Plenipouvoirs* that Mr. *Chudleigh* had offered to make them, the *French* Ambaſſadors would not ſtand legitimated in Reſpect of them the *Imperialiſts*; and there could be no negotiating between them, till the Powers were communicated and acquieſced in on both Sides.

OUR Anſwer was, that ſince our own Commiſſion wanted the Word *Invictiſſimus*, as well as Mr. *Chudleigh*'s, we could not own any Defect to be in his Commiſſion, but it would follow by Implication, we did own the like to be in ours.

We obſerved further to them, that the Stile in his Majeſty's Letters to the Emperor by Mr. *Skelton*, was a Stile, as we conceived, peculiar to the Secretaries Office; but the Stile in the Commiſſions under the *Great Seal* of *England*, was the Stile of the *Grand Chancelerie*, which was certainly very ancient, and might very well differ from the other.

We appeal'd to themſelves, whether there were not at *Vienna*, *Madrid*, and *Paris*, two Stiles; the one *de la Chancelerie*, the other *du Cabinet*, or *de la Secretairerie*; and whether they did not differ the one from the other? This M. *Stradtſman* did ingenuouſly confeſs as to *Vienna*, and that as to the Stile of that *Chancelerie*, the Emperor gives but the Stile of *Serenitie* to other Kings; whereas by another Stile, that of the *Cabinet*, he gives to ſome of them at leaſt the Stile of *Majeſtie*.

But nothing of this would weigh with them, they having of late received ſtrict Orders, as they ſaid, to watch that no Prejudice be done to the Emperor, by others varying from the Titles that of Right belong to him, whereof they have of late received the Particulars from their Court. What this will come to we cannot tell; but we fear M. *Kinski* will not let it fall; for upon our ſending yeſterday a Gentleman to take an Hour from him, for a Conference with him and the other Allies, he wiſh'd him to mind us, *qu'il deſiroit ſortir d'affaire avec Meſſieurs les Mediateurs*; which we cannot think could relate to any Thing elſe, but to the Difficulty he makes upon Mr. *Chudleigh*'s Commiſſion, whereof you have had a particular Account by the laſt Poſt from Mr. *Chudleigh* himſelf.

We did not ſend you by the laſt the Anſwers of the Allies upon the Pretenſions of the *Swedes*; but having opened them upon our receiving of the Anſwers that the *Swedes* had to give, we take Leave to incloſe Copies of them herewith.

Being poſſeſſed of all the Anſwers that the Parties make upon each others Pretenſions, and having taken the Hour of five, yeſterday in the Afternoon, from them all, we divided ourſelves, and delivered the ſeveral Anſwers to the Parties concerned reſpectively. We found the Allies met together in their uſual Place of Aſſembly, but the *French* and *Swedes* in their Houſes. There was little ſaid by any of the Parties, upon the receiving the Anſwers of their Adverſaries; only the Allies ſpoke of an Anſwer from the *French*, upon the Duke of *Lorain*'s Pretenſions, and the *Lorain* Miniſter himſelf being preſent among them, let fall ſome Words, as if he had expected the *French* ſhould come to a like Exchange of *Plenipouvoirs* with him, as they had done with the five principal Parties, to each of whom they were brought with much ado to furniſh particular Powers. But being told, that the *French* had made ſome Reflexions, and had ſent to know the Judgment of their Court, upon a Clauſe in his *Plenipouvoir* that was not in the common Form, the Allies were all ſatisfied, that we could not do any Offices with Effect upon the Duke's Pretenſions, till that were adjuſted.

M. *Heugh* ſpoke with us yeſterday in the Evening, and ſhewed much of Concern what to do in the Viſits of Ceremony, that the Pope's Nuncio (who arrived here on *Tueſday* at 11 a Clock at Night) would expect from him; his Concern did ariſe, he ſaid, from this, that the King his Maſter being, on the one Side, reſolved not to make Uſe of, or own any Mediation but that of his Majeſty's; and being earneſtly preſſed, on the other Side, by the Emperor's Ambaſſadors, not to balk the Exchange of ordinary Civilities with the Nuncio; that this Intercourſe between them, which, he ſaid, would be no more than a *pure*

Grimace, ſhould not make any Impreſſion with his Majeſty, to the Prejudice of that perfect Reliance which the King of *Denmark* hath upon his Mediation; and therefore he deſired our Judgment and Advice upon this Step he was to make. We told him, that as to our own Government, our Orders were very plain, and very preciſe, not to enter into any Commerce of any Kind with the Nuncio: But that we did not obſerve any Thing in them, wherein we were directed to intereſs ourſelves, or to meddle in the Conduct that others ſhould uſe in this Incident: However, foraſmuch as he had declared himſelf beforehand with that Regard to his Majeſty's Mediation, and ſhewed a Concern not to be miſunderſtood by his Majeſty, we ſhould not be wanting to make a juſt Repreſentation of this Reſpect he expreſſed towards his Majeſty.

LAST Night, Meſſieurs *Colbert* and *d'Avaux*, in an ordinary Converſation with me, Sir *W. Temple*, upon Diſcourſe of the Nuncio's Arrival, told me, he had deſired them, the *French* Ambaſſadors, to ſound the Mediators, whether they would receive his Complements, which he intended firſt to them; and upon that Reaſon, had delayed hitherto to make his Notifications to any of the reſt.

I told them, our Orders were very direct in this Point, not to enter into any Sort of Commerce with him; and that it would be the Part of them, the *French* Ambaſſadors, and the other Parties, to conſider of the Ways how to prevent any Embarraſs, that might ariſe in the Negotiation here, by the Preſence of two Mediators, who could no Way join or communicate together. We remain always, *&c.*

J. Berkley.
W. Temple.
L. Jenkins.

Nimeguen, 28th May, 1677.

Right Honourable SIR,

OUR laſt was of the 24*th*; ſince which, we have the Favour of yours of the 18*th* Current to acknowledge: wherein we do not find any Thing particularly directed us, beſides that we are to expect his Majeſty's Reſolution in the Buſineſs of the *Brandenburghers*, which, it ſeems, we ſhall have the Honour to know e're long.

WE have nothing formally come to us from any of the Parties by Way of Reply, or otherwiſe, upon the Anſwers lately exchanged; only the *French* have, upon ſeveral Occaſions, by Way of Diſcourſe, complained of the *Matter* and *Manner* of the *Charge* (in their Anſwers) made againſt *France* by the *Imperialiſts* (eſpecially), and by the *Spaniards*; they expect Orders from their Court what to do upon it; they think it will be, to reply in Writing; which, they ſay, will be very eaſy to do with Advantage.

M. *de Haren*, in a Converſation I, Sir *L. Jenkins*, had with him, taking notice of the Alarum that the Allies have taken of M. *Beverning*'s Journey into the Army, and of their Jealouſy, leaſt they, the *Dutch*, ſhould come to a ſeparate Peace, told me, they, the *Dutch*, are not without Cauſe given them, to have at this Time an Eye altogether as jealous over the Allies, particularly over the *Spaniards*; for that there is Advice come from *Madrid* to the States General, that *Don Juan* is labouring to come to a ſeparate Peace with *France*, and is willing to ſacrifice all the *Spaniſh Netherlands* to it; and to take what Exchange

he

he can get for it, in the *Rouſſillon* and *Sicily*: That nothing keeps this Point from being reſolved, but the Expectation to ſee what *England* will do, in Order to ſave the *Netherlands*: M. *de Haren*, as he judgeth this News to be of infinite Importance, ſo he looks upon the Writer, as a ſober underſtanding Perſon, that would not write this to the States without reaſonable Grounds.

M. *de los Balbaſes* arrived here on *Friday* about 9 in the Morning. When he and his Collegues will appear in publick, is not ſaid. The Nuncio received his firſt Viſits from the *Imperialiſts* and *French* on *Saturday*; and he is now, as we are Writing, with three Coaches and ſix Horſes at the *Imperialiſts*, repaying his Viſits.

My Lord *Berkley* took his Leave of this Place this Morning, and is gone by Land; the Yacht that the States had ordered to attend his Lordſhip here being not able to come up, the Wind being againſt it; and his Lordſhip being not willing, becauſe of his Indiſpoſition, to defer his Journey any longer in Expectation of it. We remain ever, Sir, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 31ſt May, 1677.

Right Honourable Sir,

Our laſt was of the 28*th*; ſince which, we have the Favour of yours of the 22*d* Current to acknowledge.

As ſoon as we receiv'd it, we ſent a Secretary to acquaint the *Brandenburgh* Ambaſſadors of the Liberty his Majeſty is pleaſed to allow us, in Relation to the Treating of that *ſecond Ambaſſador*: The Words in which our Meſſage was delivered, go herewith incloſed.

M. *Somnitz*, who is the only Ambaſſador in Town, told the Secretary, that he rejoyced very much to underſtand of that favourable Reſolution his Majeſty is come to; that he thanked us for the good Offices he ſuppos'd we had done in that Behalf; and that he and his Collegue, (who is now at *Cleve*) would make it their Buſineſs to come and give us their Thanks, as ſoon as he ſhould be come back; which he thought would be within two Days. Upon Occaſion of this Reſolution, we ſhall take leave to beg a Word from you; whereby we may be certain, how far it is his Majeſty's Pleaſure this *Allowance* ſhould be extended; particularly, whether we may practiſe the ſame towards the *ſecond Ambaſſadors* of other Electors, if any ſhould appear (as it hath been ſaid, there will come ſome from *Bavaria*) upon this Place.

How ſeaſonable thoſe Inſtances are, which his Majeſty is pleaſed to continue for the Freedom of Couriers, you'll by this Time have ſeen, in the Anſwers that the *Swediſh* Ambaſſadors have given in to the Allies, which are no more, but that they cannot anſwer without the Liberty of communicating with the King their Maſter; however, it will be no ſmall Satisfaction to them, that we ſhall be able to let them know, that Affair of theirs (which will be drawn on by ſettling that of the *Spaniards*) continues ſtill to be a great Part of his Majeſty's Care.

We can give you no other Account of the Difficulties made by the *Imperial* Ambaſſadors upon Mr. *Chudleigh*'s Commiſſion, but that they writ us a Letter upon that Subject, and we writ them an Anſwer, the Copies of both which go herewith encloſed; whether they will acquieſce in

in our Anſwers, and Mr. *Chudleigh*'s Authentication or not, we cannot yet tell; we having not heard from them, ſince the delivering of our Letter.

M. *Ducker* thought fit, on *Saturday* laſt, to give us ſeverally his Viſits as of Form, and to leave with us the *Plenipouvoir* he has from the Biſhop of *Strasburgh*; the Copy goes herewith. He deſires our Offices in diſpoſing the *Imperial* Ambaſſadors, (whom he hath not yet ſeen) to receive his Viſits of Complement to them, wherein he intends to enlarge to them, upon the paſſionate Deſires the Biſhop his Maſter hath to return into the Emperor's good Grace. His *Plenipouvoir* having ſo expreſs a Mention of his being directed to appear for Prince *William*, (the Biſhop's Brother) will probably alarm them. But, we hope, he will eaſily believe it to be moſt adviſeable for him to procure to himſelf a new *Plenipouvoir* in the common Form, agreed to by all the Parties. We remain ever, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 4th June, 1677.

Right Honourable Sir,

SINCE our laſt of the 31*ſt* paſt, we have none from you to acknowledge. The ſame Evening, we received a Viſit from the two *Brandenburgh* Ambaſſadors, in Return of that we had made them upon their firſt Arrival: This paſs'd to us both ſeverally with the uſual Forms and Complements, but particular Acknowledgments for his Majeſty's late Reſolution, in Favour of their Pretenſions of *equal Treatment*.

Upon *Saturday*, Count *Kinski*, Meſſieurs *Heugh*, and *Van Haren*, came to us from the Body of the Allies, to deſire our Offices to the *French* Ambaſſadors, in Behalf of the Duke of *Lorain*'s Miniſter here: To know firſt, if they were ſatisfied with his *Plenipouvoir*; in the next Place, to deſire an Exchange of ſuch a *Plenipouvoir* on their Parts, as they intended to treat upon with him; and laſtly, to demand the Counter-Pretenſions of *France* againſt thoſe of that Duke. We intend to perform this Office to Day towards the *French* Ambaſſadors, but doubt the Poſt will be parted, before we can give you any Account of their Anſwer.

M. *Beverning* return'd hither upon *Friday*, and told us yeſterday, that the Occaſion of his Journey was, to know fully the Intentions of his Maſters, upon the Anſwer the *French* Ambaſſadors had given them, the Day before he went, to his Propoſals about the Reglement of Commerce. He ſaid, they made no Difficulty upon any other Point but thoſe two; on the 50 *Sols per Tonneau*, and the old *Tarif*, as they term it, or Rate of Merchandices, which was between them in the Year 1632; and upon theſe he found it neceſſary to be inſtructed, how far his Maſters would inſiſt: That tho' the *French* had given him no Anſwer upon the Points of *Maeſtricht*, and the Prince of *Orange*'s Pretenſions; yet he found they would be eaſy in both, if there remain'd nothing elſe between them. That he came Home now fully inſtructed to go on with the Treaty *juſques à la derniere ligne*, and that he intended to negotiate it by Conferences with the *French* Ambaſſadors as he had begun, without giving in any Anſwers or Replies in Writing; that he would acquaint his Allies with this Reſolution at their next Meeting; and that he

he thought, as the War went on in the Campaign, as if there were no Treaty here, ſo the Treaty ought to go on here, as if there were no Armies in the Field; and that when they, the *Dutch*, were *hors d'Affaires*, tho' they would not conclude without their Allies, yet they would then begin to preſs them to ſuch Terms, as they thought were reaſonable for the Peace.

He took Occaſion upon this Point to ſay, that the *Spaniards* flattered themſelves very much upon their Hopes from *England*, and that M. *Van Beuninghen* did the ſame in all his Letters of late, even to that by the laſt Poſt; but that he, M. *Beverning*, for his Part, neither believed any Thing of it, nor deſired what they propoſed to themſelves: That he had much rather his Majeſty ſhould make the Peace than War, and that moſt People in *Holland* were of the ſame Mind, tho' he knew ſome were of another; but he did not think the Buſineſs of *Holland* was to draw out the War into Length; that he would be very glad *France* might believe the King were in carneſt, and reſolved to preſcribe the Terms of a reaſonable Peace, and not to ſee *Flanders* loſt; becauſe he knew very well, that this very Apprehenſion in the *French* would certainly make the Peace: But they believed as little of it as he did; for he was as ſure as of the Sun's ſhining, that the King of *France* had ſaid in Confidence, to ſome Perſons he could name, ſince the Beginning of this Campaign in *Flanders*, that he was not in Pain about *England*, and that the King would not ſtir ſo much as to hinder him from the Conqueſt of the laſt Town in *Flanders*.

We hear the Pope's Nuncio has loſt all Hopes of entring into any Commerce, ſo much as of Complement, with any of the *Proteſtant* Miniſters here, notwithſtanding all the Advances he has made towards it, (terming them, *Miniſti degli Principi Accatolici*) and Endeavours uſed by the *Imperialiſts* and *Spaniards* with their Allies, and of the *French* with the *Swedes*; but theſe laſt have, as the *Dutch* Ambaſſadors tell us, declared poſitively, they would have no Commerce at all with him; and from this Reſolution from them, as well as from us the Mediators, the *Daniſh* and the *Brandenburgh* Ambaſſadors, tho' they ſeemed at firſt inclined to the Interchange of Viſits with him, yet have ſince excuſed it to their Allies, upon Pretence that the Notifications having not been made them from the Nuncio, at the ſame Time with the *Imperialiſts* and *French*, they cannot now receive them: The *Dutch* having had Orders to conform themſelves in this Point with other Miniſters of the *Proteſtant* Princes, are likewiſe reſolved upon the ſame Courſe; which we find gives the Miniſters of *Auſtria* and *France* ſome Pain, how to proceed in the Courſe of this Negotiation, without Offence either to his Majeſty, or to the Pope's Mediation: But this we tell them, upon all Occaſions, we are to leave wholly to their own Care, and can give them no Advice upon it; but tranſmitting to his Majeſty the Accounts of all that paſſes towards us in this Matter, ſhall only expect and purſue his Orders thereupon.

We ſend you incloſed a Copy of a Letter we received ſince our laſt from the *Imperial* Ambaſſadors, concerning the Difficulties they raiſed in the Emperor's Stile in Mr. *Chudleigh*'s Commiſſion, by which you will find, they reſolved to receive a Satisfaction that was not given them, being willing, as we ſuppoſe, to get out of this ill Pace they had engaged in.

We propoſed to Count *Kinski*, ſince our laſt, the Deſires of M. *Ducker* the *Strasburgh* Miniſter, to perform his Viſits to him, the Count, and his

his Collegue; but his Anſwer was only, that he would conſult his Orders upon it. We remain always, SIR, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 7th June, 1677.

Right Honourable SIR,

OUR laſt was of the 4*th* of *June*, ſince which we have not the Favour of any from you to acknowledge.

ON *Monday* we performed our Offices with the *French* Ambaſſadors, as the Allies by their Deputies had requeſted us, (as we have already told you) in Behalf of the Duke of *Lorain*; they told us, they would give us their Anſwer in Writing as yeſterday, but did not; how they came to fail, we know not.

WE took this Occaſion to acquaint them of the *Hanover* Pretenſions in our Hands; but thoſe being left with us in the ſame Way as the Duke of *Zell* and Biſhop of *Oſnabrug* had conveyed theirs, that is, not agreeably to the Forms here practiſed, the *French* Ambaſſadors would give us no other Anſwer upon them, but that theſe Pretenſions, as well as thoſe of the other Princes, muſt be brought in in Form.

YESTERDAY M. *Colbert*, in a Converſation with us, amongſt other Diſcourſes, ſaid, he had heard the *Spaniſh* Plenipotentiaries intended to appear ſuddenly, and to make their Notification firſt to the Nuncio, next to the *Imperialiſts*, and in the third Place to us; this they thought would engage them, the *French*, in a Difficulty as well as us; for tho' they yield the Precedence to the Emperor, yet they could not allow any ſuch Diſtinction between him and their Maſter. That in a ſolemn Proceſſion upon the opening the Treaty at *Munſter*, M. *d'Avaux* did not yield the Place to *Wolmar*, the ſecond *Imperial* Ambaſſador, but Count *Naſſau* and *d'Avaux* went together in the Proceſſion, and after them *Wolmar* and *Servien*.

WE told him, we did not hear of any ſuch Thing intended by the *Spaniards*, and that we had no Reaſon to expect it, becauſe the *Imperialiſts* yielded us the Place at the Publick Conferences in their Aſſemblies: He replied they did it there, as in a *Houſe of their own*; and he ſuppoſed they made a Difficulty upon giving it us in a *Third Place*, becauſe the Privilege given to Mediators, was a Thing, he ſaid, not practiſed at *Munſter*, but taken up in the Aſſemblies ſince.

WE conceived of this and the reſt of his Diſcourſe, that he meant that we ſhould apprehend, that if the Emperor's Ambaſſadors refuſed this Point, they, the *French*, would make a Difficulty of giving it. However, we juſtified the Pretenſion, both from the Nature and Neceſſity of it, as it gave Eaſe to the Negotiation, and from the Practice to which his Majeſty had given in ſo formally at the Treaty at *Cologn*.

SOON after came in M. *Beverning*, with a Deſign (as he ſaid) to talk with us, upon an Occaſion that the Marquiſs *los Balbaſes* had juſt then given him, in a Viſit he had made him: The Marquiſs and his Collegues, he ſaid, were willing to appear in Publick with the ſooneſt poſſible, and he put them on all he was able; *je les pouſſe furieuſement* were the Words among others he uſed; enlarging further (as he did before he entered upon the Buſineſs he was come about) upon the Orders he now hath, to make a Project of a Treaty between his Maſters and the *French*; he ſaid, he would have one ready dreſt to the very laſt

Line,

Line, and that we ſhould have Part of it; that he would go to the *French* Ambaſſadors himſelf within a Day or two, and would offer to enter into Negotiation with them; that he had already communicated his Reſolution to his Allies, and let them know, he would ſtay no longer. Purſuing this Diſcourſe, as he did with Earneſtneſs, he ſaid, among other Things, *il y a des Gens chés nous qui croyent*, that if the *Dutch* Ambaſſadors, and the reſt of the Miniſters, had made that good Uſe of their Time as they might and ought to have done laſt Winter, they might have been in Peace by this Time; and that which the *Spaniards* have loſt this Spring, might have purchaſed a tolerable Peace for them. That he, for his Part, tho' he ſees ſomething may be hoped, not improbably, from the Armies of the Allies now in the Field, yet the Apprehenſions he hath for *Sicily*, and the no very good Concert that is between the Allies, do ſo weigh with him, as to over-ballance all his Hopes, and make him think it neceſſary to purſue the Peace, and not loſe the next Spring, as they had done the laſt.

That which he had to ſpeak with us upon, in Reference to M. *los Balbaſes*, was a Difficulty or two wherein we ourſelves were like, he ſaid, to be concerned, upon the appearing of the *Spaniards* in Publick: The one was, that as, on the one Side, they, the *Spaniards*, would be loath to give any Cauſe of Offence to his Majeſty, in not ſatisfying as to the Regards due to his Majeſty's Miniſters here; ſo it is not to be expected from them, they will diminiſh any Thing of thoſe Reſpects and Deferences, that they and all Princes of the *Roman* Communion uſe to give to the Pope's Miniſter; and finding that this Conſideration did gravel the *Spaniards*, he had bethought himſelf of an Expedient, and came to ſee what we would ſay upon it.

The Expedient was, that the *Spaniſh* Miniſters ſhould notifie the Nuncio and us at the ſame Time preciſely, by divers Gentlemen; and that when the Reviſits ſhould come to be made by the *Spaniards*, that one of them ſhould go to the Nuncio, and the two others to us, both at one and the ſame Time; and ſo as one had finiſhed with us, he might go to the Nuncio, and he that had been firſt with the Nuncio, might afterwards come to us. This he thought might be ſo evenly carried on, as that it ſhould be in a Manner impoſſible to diſcern, who had been firſt notified or viſited, We or the Nuncio: He deſired our Opinion in this, and, if we liked it, our Approbation; but if we did not, he deſired us to think of, and adviſe ſome other Expedient.

Our Anſwer was, that as our Orders are preciſe, not to enter into any Commerce with the Nuncio, ſo we could not take upon us to give any Opinion or Advice in Expedients or Meaſures relating to him: That we, for our Parts, left it to the Parties that intended to make Uſe of that Mediation, to provide againſt the Embarraſs that is likely to follow upon it; that we would go on the ſame Way we had gone in all this while; and would from Time to Time inform his Majeſty of what ſhould come to our Knowledge in ſuch Incidents as theſe, and expect his Orders upon them.

The other Difficulty M. *Beverning* ſaid that he foreſaw was, concerning the Treatment that the *Spaniards* would pretend to from us, as *Ambaſſadors*, tho' their firſt Power ſpeak them no more than *Plenipotentiaries*, excepting that the Marquiſs *los Balbaſes* is ſaid to be in his Power ſtyled the King of *Spain*'s Ambaſſador at *Vienna*. This, he ſaid, the Allies had given in to; the *Imperialiſts*, the *Dane*, and the reſt, being reſolved to treat them as *Ambaſſadors*, upon the Undertaking

they entered into to produce *Plenipouvoirs* here within two Months, giving each of them that Character.

M. *Beverning* further told us, he was aſſured the *Swedes* would give them the Treatment they pretended. We did not anſwer him for the preſent, further than to tell him, we deſired a little Time to look upon our Orders, before we came to a Reſolution in the Point. Only we obſerved to him, that we did not ſee what Advantage it would be to them, the *Spaniards*, to change the Figure of *incognito* they are now in, ſince they have no Capacity to treat without a *Plenipouvoir*; that, he ſaid, they propoſed to themſelves to ſupply by a new Act obligatory, of the ſame Tenor with the former; and that they were bent upon this Way, becauſe they did hope to ſet forward the Negotiation, by direct Conferences with the *French*, whenever they could not make Uſe of the Mediators, by Reaſon of the Incompatibility between them.

When we had diſcourſed over theſe two Difficulties, we took Notice to him of a third, that he had not, it ſeems, thought of; telling him what we had underſtood of a Deſign of the *Spaniards*, to notifie the *Imperialiſts* before they did us, which if they did, they would thereby, as much as in them lay, render his Majeſty's Mediation uſeleſs; for that it was certain, that as ſoon as the *Imperialiſts* ſhould enter into Competition with us, the Ambaſſadors of other Crowned Heads would do the ſame, and then we ſhould be in that perpetual Embarraſs with moſt of the Miniſters here, that inſtead of doing the Offices of Mediators ourſelves, we ſhould have need of Mediators between us, and the moſt conſiderable of the Parties. We therefore told him plainly, we would not viſit the *Spaniards*, in caſe they notified the *Imperialiſts* before they did us; this, he ſaid, he was not aware of, but would ſound the *Spaniards* about it, and ſuddenly give us an Account. All this he deſired might be underſtood to paſs between us by Way of Diſcourſe, as if it had been his Meaning it ſhould go no further; however, we thought it our Duty to lay it before his Majeſty by this firſt Occaſion.

This Conference was no ſooner over, but M. *Heugh* came to tell us, there was a Miniſter or two of the Duke of *Holſtein* in Town; one that had been here for ſome Months, the other but newly arrived: His Deſire to us was, that we would not ſuffer ourſelves to be poſſeſſed with any Prejudices, thoſe Miniſters might endeavour to beget in us of the King his Maſter; nor yet that the Pretenſions of the Duke of *Holſtein Gottorp* are capable of being brought into this Treaty, the Differences between him and *Denmark* being purely *Domeſtique*, *& ſur des Unions des Maiſons*; and that there can be no Colour to debate any of them here, ſeeing he is not a Party declared on either Side in the War.

He ſaid further, that his Majeſty, upon the Application of the *Daniſh* Miniſter in *England*, had been pleaſed to declare, it was not a proper Buſineſs for this Place, and that he would take Order it ſhould not mingle in the Affairs of the Aſſembly.

He told us, that M. *de los Balbaſes* had, juſt before he came, been at his Houſe; that he had promiſed to give him and his Collegues the ſame Treatment as if they had been Ambaſſadors; but that it was not at all upon Conſideration of the *Imperialiſts* doing ſo, (tho' he was reſolv'd to ſee it done by them too before he entered upon it) but it was upon expreſs Stipulation, that they, the *Spaniards*, ſhould produce Powers with the Title of *Ambaſſadors* within eight Weeks, to be counted from *Monday* next; upon this Caution likewiſe, that in caſe they

produce

produce them not within that Time, all this Treatment ſhould ſtand retracted, and all that ſhould paſs in the mean time ſhould be void.

SINCE the writing of this, we have the Favour of yours of the 1*ſt* of *June:* As to the firſt Point in it, touching the Stile of *Invictiſſimus*, you will by this Time have ſeen, by the *Imperial* Ambaſſadors Reply to our Anſwer, where and how they are pleaſed to let that Matter reſt. As to the other Point, of the Moſt Chriſtian King's Letter to his Majeſty about a Truce, we are very much ſurprized to find an Occaſion of doubting, whether ever any ſuch Letter came to his Majeſty's Hands or no; ſince it was communicated to us by the *French* Ambaſſadors in Form, and as a Letter which had been ſent away to the King, before the Copy was tranſmitted to them. We find beſides, that the *French* having communicated it to other Miniſters here, as well as us, we were not only called upon by the *French*, but by ſome of the Allies, to know what Orders we had received upon it. We remain ever, SIR, *&c.*

W. Temple.
L. Jenkins.

Poſtſcript.

AFTER the cloſing of our Letter by this Poſt, we have received from the *Dutch* Ambaſſadors a Paper, containing the Project of a Treaty in all its Articles, which they deſired us to give to the *French* Ambaſſadors; and told us at the ſame Time, they had been in a Conference with them this Morning, about the two only Points remaining in Difficulty between them, upon the Reglement of Commerce; the one of which conſiſted in the *Vieux Tarif*, they have, they ſay, quitted, but inſiſted upon the other. We have not Time left us to ſend you a Tranſcript of the whole Paper, but ſend you a ſhort Extract of the Heads of each Article:

1. *Etabliſſement de Paix & Amitie.*
2. *Le Temps & Lieux marquez pour la Ceſſation d'hoſtilité par Mer.*
3. *Amneſtie.*
4. *Les parties ne conſentiront pas à des Traitez prejudiciables à l'une ou à l'autre, mais les rompront, & en donneront avis auſſi-tôt qu'ils en auront Connoiſſance.* Next follow theſe Words: —
5. — *Et pour mieux aſſeurer à l'avenir le Commerce*, &c. which the *Dutch* Ambaſſadors ſay, is intended for an Introduction to the whole Project of Commerce, to be here inſerted.
6. *Toutes Confiſcations depuis la guerre caſſées, & les Proprietaires reſtituez.*
7. *Les Parties demeureront ſaiſſées de tout ce qu'ils poſſedent à preſent, tant au dedans qu'au de hors l'*Europe.
8. *Le Roy Trés-Chrêtienne pour preuve de ſon Amitie rendra* Maeſtricht, *& tout ce qui en depend.*
9. *Renonciation de toutes ſortes des Pretenſions tant du temps paſſé que du preſent de part & d'autre.*
10. *Reſtitution des Priſonniers ſans Rançon de part & d'autre.*
11. *Subſiſtence & Reparation du preſent Traité non obſtant quelque Contravention.*
12. *Les Articles touchantz les Pretenſions & Interêts de M. le Prince* d'Orange, *ſeront inſerez mot à mot en ce Traité.*

13. *L'Empereur, les Roys* d'Eſpagne, *& de* Danemarc, *les Electeurs de* Treves *& de* Brandenburgh, *le Duc de* Lorain, *l'Eveſque de* Munſter, *les D. de* Newbourgh, Zell, Wolfenbuttel *&* Oſnabrug, *compriz dans ce Traité, comme des Alliez.*

14. *Et demeurera une Liberte entiere tant aux uns qu'aux autres, de ſe Garentir reſpectivement les Traitez qui ſeront fait conjointement avec cettuy cy.*

W. Temple.
L. Jenkins.

Nimeguen, 11th June, 1677.

Right Honourable Sir,

SINCE our laſt of the *7th*, we have none from you to acknowledge; but ſend you encloſed a Copy of that Project of a Treaty which, we told you in our laſt, was put into our Hands by the *Dutch* Ambaſſadors, juſt upon the cloſing that Packet; upon which we can ſay nothing further, but that as the *French* Ambaſſadors ſeemed to believe there will remain little between them, beſides the Buſineſs of their Allies; ſo the *Imperialiſts* ſeem confident, the *Dutch* will not conclude without them, tho' all other Points ſhould be early agreed with the *French*.

The ſame Day, M. *d'Eſtrades* brought us a great Complaint of a Violence committed upon ſome of his Domeſticks, by ſome Soldiers that had paſs'd here, but in Company, as was ſaid, with ſome of Count *Kinski*'s Servants; the Fact having been foul, and aggravated by the Time of the Night, by breaking open the Doors of the Houſe, and by ſeveral Wounds that had been given to Women as well as Men, we performed our Offices immediately upon it, firſt to the *Dutch*, and then to the *Imperial* Ambaſſadors: Having found that the Soldiers engaged in this Quarrel, were ſome Recruits of the Prince's Guards, who paſſing through this Town were ſhipt away next Morning, and ſo out of reach when the Complaint came to us; We deſired the *Dutch* to procure new Orders from the Prince, that no Soldiers ſhould paſs thro' this Town upon any Occaſion, during this Aſſembly; and of Count *Kinski*, that he would inform himſelf, whether any of his Servants had been engaged in this Fact; and in that Caſe, that he would proceed according to thoſe Articles we had offer'd, at our firſt coming hither, to the ſeveral Ambaſſadors, for preſerving the Peace of this Aſſembly. The *Dutch* promiſed us their Offices, and Count *Kinski* his Enquiries upon this Occaſion, and that they would give us an Account of both.

The ſame Evening, we went one of us to the *Swede*, and the other to the *Daniſh* Ambaſſador, to let them know, that having conſidered of the Facility they had expreſt to comply with our Deſires, about ſending away thoſe Perſons who had been lately engaged in a Duel here, we were content not to exact the Rigour of what we had demanded upon this Occaſion, ſince it had happen'd before any Reglement had been agreed on in the Caſe; and that we would only at preſent take this Occaſion of offering a new Article, which ſhould reach all ſuch *Rencontres*, and endeavour to preſerve the Town, and the Neutrality about it, free from all ſuch Accidents. They both profeſſed to take very kindly the Eaſineſs we expreſs'd in this Matter, and to be ready to give their Conſent to any Reglements we ſhould propoſe for the future. And we were indeed forced to give this Turn to that Affair, be-

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cauſe we found that without it, the *Swedes* would have excuſed themſelves in what we deſired of them; which we thought might have been a Thing of ill Example upon other ſuch Accident, in the Courſe of our Mediation.

The ſame Night, but late, a Secretary from the *French* Ambaſſadors brought us a Paper, which, he ſaid, was their Anſwer concerning the *Plenipouvoirs* of the Duke of *Lorain*'s Miniſter, but with *Proteſtation* againſt any Prejudice from the Stile aſſumed there by that Duke, or given to him in the Paſſports from the Moſt Chriſtian King; we ſend you incloſed a Copy of this Paper.

Upon *Friday* Morning, Count *Kinski* came to us, and told us, that having enquired of the Marſhal *d'Eſtrades* Domeſtick (whoſe Houſe was broke open) he found, that he accuſed only one of his Servants to have been preſent in the Action; and that tho' his fellow Servants, to clear him, gave Teſtimony, that he was at the ſame Hour at his own Lodging, ſo that the Caſe ſeemed very doubtful, yet he had brought him along with him, on Purpoſe to be left in our Diſpoſal, deſiring us to judge and puniſh him as we thought fit: But upon our excuſing ourſelves from any ſuch Part, or any other, than that of ſolliciting the Purſuit of thoſe Reglements we had offer'd in ſuch Caſes, he reſolved very frankly to put him into the Magiſtrate's Hands. We acquainted him at the ſame Time with the *French* Anſwers, concerning the *Lorain* Powers, which he deſired we would communicate to the Preſident *Cannon*, and the other two Deputies of the Allies, who had been with us upon this Affair, to the End, that when they had conſidered of it, they might let us know their Intentions upon it.

The ſame Morning, M. *Ducker* came to us to enquire, whether we had received any further Anſwer from the *Imperial* Ambaſſadors about the receiving of his Viſits, as Miniſter from the Biſhop of *Straſburgh*; and we imparted to him, what the *Imperialiſts* had told us the Day before upon this Enquiry, which was, that they could not give an Anſwer to it, till they knew from him, whether his Maſter pretended to come into this Treaty, as a Prince that was actually in Arms, or as an Ally of any Crown that was ſo. M. *Ducker* took Time to conſider of this Queſtion, and to conſult with his Friends what Anſwer he ſhould give upon it.

In the Afternoon, we went to the *French* Ambaſſadors, and acquainted them with Count *Kinski*'s Proceeding againſt his Domeſtick, with which they were ſo much ſatisfied, as to deſire us, that we would intercede for his Servant's Liberty. We gave them the Paper, or Project, which the *Dutch* had put into our Hands; upon which they ſaid, they would conſult together; and when they had reſolved what was to be ſaid upon it, they would acquaint us with it. We told them, the Allies deſired Copies of their Paper, concerning the Duke of *Lorain*; and they were contented they ſhould be given to the ſeveral Parties who demanded them, which was accordingly done.

Upon *Saturday*, a new Miniſter from the Duke of *Holſtein Gottorp* came to us, and gave us both *Letters* from his Maſter, recommending to us the Introduction of his Affair with the King of *Denmark* into this Treaty; and likewiſe a Book in *Latin*, containing a Deduction of that whole Matter. We anſwered him, as we had done a former Miniſter from the ſame Duke, that we did not well ſee, how that Affair could be brought into this Treaty, unleſs his Maſter were either actually in War, or a declared Ally of ſome other Prince that was ſo; at leaſt that we ought firſt to receive his Majeſty's Orders upon it.

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THE ſame Day, we ſent for the Magiſtrates of the Town, and taking notice to them of ſome Diſorders which lately happened here, as well as our Fears of more, and of worſe Conſequences, upon the daily Increaſe of the Numbers, we recommended to them, *Firſt*, The forbidding of all publick *Drinking Houſes* receiving or retaining any Company after ten a Clock at Night in the Summer, and nine in the Winter. *Secondly*, The ordering of a *Patrouille*, with two Guards, to go conſtantly about the Streets from nine at Night till four in the Morning. And *laſtly*, to take Care of hindring all Soldiers that paſs the River here, from ſo much as entring into the Town, according to the Orders that were given laſt Summer to that Purpoſe by the Prince of *Orange*. We remain ever, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 14th June, 1677.

Right Honourable SIR,

OUR laſt was of the *11th*; ſince which, we have the Favour of yours of the *8th* Current to acknowledge; and therein the Care you are pleas'd to have of us, that we be inſtructed of his Majeſty's expreſs Pleaſure, touching the Treatment of the ſecond Ambaſſadors of Electors in the general, and the Stile of *Invictiſſimus*, pretended to by the *Imperial* Miniſters for their Maſter.

WE hear nothing more of the *Dutch* Ambaſſador's Project of a compleat Treaty with *France*, whereof we ſent you a Copy in our laſt; nor did we hear till yeſterday, of the *Proteſtation* the *French* Ambaſſadors had given in to us, and we communicated to the Allies a Week ago.

MESSIEURS *Kinski*, *Heugh*, and *Van Haren*, came, as deputed from the Body of the Allies, and acquainted us yeſterday in the Forenoon, that the *French* having accepted of the *Plenipouvoir* that the Duke of *Lorain* had given to his Miniſters here, they deſired our further Offices in diſpoſing the *French* Ambaſſadors to ſhew a *Plenipouvoir* on their Part to treat with thoſe Miniſters, and to come to an Exchange of Powers, as hath been done in the like Caſes.

AS for the Proteſtation, (which was the other Part of the *French* Ambaſſadors Writing) they, the Allies, did not take any Manner of Notice of it; it was addreſſed to us, and not to them: They might, they ſaid, alledge many Things, and did remark ſome Things, to ſhew the Invalidity of it; but in ſhort, they would not enter into any Diſcuſſion of it, but gave us the Copies we had (at their deſires) ſent them back again. They did obſerve to us particularly, how very little ſuch a *Proteſtation* can operate to the Duke's Prejudice, ſo long after that the Moſt Chriſtian King had, in his Paſſport of laſt Year, given him the Treatment now proteſted againſt, and ſo long after that the King our Maſter had owned him ſo frankly, and ſo avowedly given him the Stile of *Frere* and of *Duc de Lorainc*, upon the Notice he had given his Majeſty, of his ſucceeding the late Duke his Uncle.

IN the Afternoon, we performed our Office with the *French* Ambaſſadors, as the Allies had deſired us; their Anſwer was, that they had no ſpecial *Plenipouvoir* to treat with the Duke of *Lorain*; that they pretended he ſhould treat as an Ally, and not *de ſon Chef:* That they de-

deſired it might be remembred, how they had deſired and preſs'd, that one *Plenipouvoir* might ſerve on their Part to treat with all their Adverſaries; that it was true, they had been, upon ſpecial Reaſons, prevailed with to furniſh five ſeveral Powers, but that they had done it under Proteſtation to furniſh no more; and that they had the Promiſe of the *Dutch* Ambaſſadors, not to be importun'd for any more; however, that they could not furniſh any more.

HAVING in the Morning received M. *de los Balbaſes* his *Plenipouvoir*, which he ſent us by the Secretary of the Embaſſy of *Spain*, with a Deſire we would communicate it to the *French* Ambaſſadors, and ſo come to an Exchange of Powers with them, as the Manner hath been: We took this Occaſion to let the *French* Ambaſſadors know, we were poſſeſſed of M. *de los Balbaſes* his Powers; but they deſired to be excuſed, that they did not exhibit theirs, or come to an Exchange with him; for that his *Plenipouvoir* was not in the Form agreed on, and conſequently would give them ſeveral Matters of Exception againſt it, if they ſhould enter upon the Examination of it; that their Powers were in the common Form agreed to, and not capable of being excepted againſt; and therefore that they had no Reaſon to exchange their new one againſt his old one, ſince he would be able to do no more upon this whole Matter, but to enter into an Act obligatory, to procure on his Part a Power in good Form, which they had already done on theirs. But that they would take our Word, in that we ſaid we had ſeen his Power, and that they will account him to be *ſuffiſamment authorizé* for this Negotiation on the Part of the Crown of *Spain*. A Copy of his Powers goes herewith.

AN Hour after that this *Plenipouvoir* had been brought us from M. *de los Balbaſes*, came three Gentlemen with a Complement, as if it had been from the three *Spaniſh* Ambaſſadors, but they notified us of M. *de los Balbaſes* Arrival only, making no Mention of the Arrival of the other two. The Notification was clear and expreſs, the reſt of the Complement was ſomewhat entangled, which gave us Occaſion, in the Return of it, (which was done forthwith) to direct the Gentlemen that ſpoke, beſides the uſual Complements, to uſe theſe Words: — *Et comme leurs Excellencies ont compriſes que V. E. deſire que leur Viſite ſoit differée juſques à ce que l'Embarras ſoit levé par l'arrivée des Nouveaux Plenipouvoirs. — ils ſe conforment entierement aux Sentiments de V. E. & ne manqueront pas de luy faire leur Viſite à telle temps qu'elle trouvera à propos de la recevoir & en attendant.* —

M. *Balbaſes*, in his Anſwer to our Secretaries, told them, he ſhould have been very glad to have received the Honour of our Viſit, but being there was a Difficulty which did ariſe, not from him, but from his Collegues, he could not ſeparate the Embaſſy, and therefore that he would expect with Impatience the Arrival of new *Plenipouvoirs*, which will take away the preſent Difficulty.

WE have ſince underſtood, that there was the like Notification ſent to the *French* and the *Swedes*, and that they ſent their Complement to M. *de los Balbaſes*, with Directions to treat him *Excellence*, and to the other two, with no more but *vous & vôtre*.

BY the Account we have from the *Swedes*, the Complement to them and to us was not the ſame, and ſo they might have Reaſon to ſend to complement the other two, which we had apprehended we had none, ſince they did not notifie us of their Arrival; and we were glad enough to avoid the Embarraſs that would neceſſarily follow; for if our Secretaries ſhould have treated them with *Excellence*, we ſhould have

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gone a different Stile from the *French* and *Swedes*, (whom we are directed to concert with in ſuch Caſes) and if not, they ſhould have given them leſs than the *Imperial* and *Daniſh* Ambaſſadors do in their own Perſons.

THE Duke of *Holſtein*'s Miniſter came to us yeſterday, to deſire our Advice, whether the Duke his Maſter ſhould endeavour to introduce his Affair into this Treaty, by his Majeſty's immediate Recommendation, or elſe by declaring himſelf an Ally of *Sweden*, and intereſted in the Treaties of the *North*. We excuſed ourſelves to him, as not conceiving it to be any Part of our Buſineſs to give Advice to the Parties, who muſt be preſumed beſt to underſtand the Meaſures they have to take. Beſides that, we were not ſure that any Advice we could give him, would prove the beſt to be followed, conſidering the various Turns that Affairs may take in the Courſe of this Negotiation. He ſeemed to wonder, and to be diſappointed, in that we had not yet received any particular Orders, as he hoped we had had, from his Majeſty, touching his Maſter's Affairs.

WE acquainted M. *de los Balbaſes* with the Anſwer that the *French* Ambaſſadors had given us upon his Powers, ſending Mr. *Chudleigh* to him laſt Night: After that Mr. *Chudleigh* had cleared ſome Objections that he made, he deſired his Complements might be given us, and ſeemed to reſt ſatisfied, and to expect the coming of his new Powers. We remain always, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 18*th June*, 1677.

Right Honourable SIR,

SINCE our laſt of the 14*th*, we have none from you to acknowledge.

THE ſame Day we acquainted the Allies with the Anſwer of the *French* Ambaſſadors, upon the Demand of Powers for the Duke of *Lorain*, and their Reſolution to treat with him no otherwiſe than as an Ally of ſome of the other Parties engaged in this War, and to furniſh no ſpecial Power for him, or any other Prince, beſides thoſe *Five* at firſt agreed on.

WHEN we communicated this to the Allies, the Preſident *Cannon* deſired our Opinion, whether this could be accepted of *ſans bleſſer l'honneur de ſon Maitre, & la regularité de cette Negotiation.* But upon our excuſing ourſelves from giving any Opinion in the Point, the Aſſembly of the Allies took Time to conſider of this Matter; and after Deliberation, to give us a further Account of their Intentions upon it.

THEY gave us likewiſe the ſame Anſwer upon a Paper we offered them at the ſame Time, (and which we ſend you here incloſed) for preſerving the Peace and Order of this Aſſembly, which we had Reaſon to apprehend might fall every Day into more Danger, both from ſeveral Incidents lately happened here, and from the great Increaſe and Numbers of ſo many ſeveral Nations in this Place.

WE communicated the ſame Paper the very ſame Evening both to the *French* and *Swedes*, who likewiſe took Time to conſider of it, and to give us their Anſwer; but all of them made us Complements upon our Care in this Matter, as appearing very neceſſary at this Time.

UPON *Friday*, the *French* Ambaſſadors gave us their full Approbation of that Paper in all its Points; and deſired us to haſten the Conſent of all the other Parties here; to the End we might give formally a Copy of it to every Ambaſſador, with an Atteſtation of all Parties having agreed to it. We remain, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 21ſt June, 1677.

Right Honourable SIR,

OUR laſt was of the 18*th*, ſince which we have not the Favour of any from you to acknowledge.

ON *Tueſday* Meſſieurs *Kinski*, *Heugh*, and *Van Haren*, as deputed from the Body of the Allies, came and deſired our Offices towards the *French* Ambaſſadors, in the Behalf of the Duke of *Lorain*. They told us, the Allies had judged it reaſonable to inſiſt, that the *French* Ambaſſadors ſhould furniſh a ſpecial *Plenipouvoir* to treat with his Miniſters, for that he was a Prince that was Soveraign and independent; and that his Predeceſſors had heretofore made ſeveral Treaties, as with other Princes, ſo particularly with the Crown of *France*; they did therefore deſire we would make our Inſtances with the *French* for a ſpecial Power, and deſired us withal to give in the Pretenſions of the Duke of *Lorain*, which they, the Allies, had about three Months ago put into our Hands; being willing, they ſaid, to advance the Buſineſs of the Treaty, and that nothing ſhould ſtick on their Part, in Hopes the ſpecial *Plenipouvoir* would be procured in the mean while.

WE take Leave to ſend you herewith a Copy of the Duke's Pretenſions, which being calculated for this Aſſembly, while he had no Miniſter of his own upon the Place, we could not think ſo *congruous* to what might be now expected; beſides that, it was of a much ancienter Date than the *Plenipouvoir*, which muſt be regularly ſuppoſed to bear it. However, neither M. *Cannon*, nor the Allies, would hear of altering it, as being under the Duke's Hand and Seal, and as it was put into our Hands from the Body of the Alliance; ſo they perſiſted that we ſhould do our Offices upon the Writing, as it goes now incloſed.

WHEN we opened this Matter to the *French* Ambaſſadors, as we did yeſterday at an Hour we had taken for that Purpoſe, M. *Colbert* fell into a great Paſſion upon this Demand of a ſpecial *Plenipouvoir*, and would needs have perſwaded us, that it was contrary to the Cuſtom of General Treaties in former Times, to have more than one *Plenipouvoir* of a Side; and that it was contrary to the Promiſe of the Allies, who had declared, that if the Five ſpecial Powers, which were then inſiſted on, ſhould be furniſh'd, they would demand no more; and for this they appeal'd to what we could ſay and remember of it.

WE told him, that if he called on us to witneſs any ſuch Declaration or Promiſe of the Allies, we could ſay nothing to it; only we could ſay, that the *Dutch* Ambaſſadors, when the Adjuſtment of the Number of *Five Plenipouvoirs* was upon ſettling, had ſaid, that they, for their Parts, could not hinder other Electors or Princes, Parties to this War, naming particularly the Duke of *Lorain*, from demanding ſpecial Powers from *France*, when they ſhould come upon this Place, and deſire to enter into the Treaty; nor ſhould they be able to refuſe their Offices in joining with thoſe Electors or Princes in that Demand,

if they ſhould be required to do it: However, that if thoſe Princes ſhould finally inſiſt to have ſuch ſpecial Powers, and refuſe to treat without them, they, the *Dutch* Ambaſſadors, for their Parts, would in that Caſe *paſſer outre*, and not forbear Treating, becauſe ſuch ſpecial Powers were not furniſhed.

THIS M. *d'Eſtrades* was ſo fair as to acknowledge to be the Truth of what had paſſed, when the *Five* ſpecial Powers were ſettled; and then withdrawing, (as they did when this Heat was over, and when M. *Colbert* had made another Objection, which was, that the Propoſition was ſigned by the Duke's own Hand, which he ſhould have done by his Miniſters) they ſpoke together, and coming to us again, they took the Propoſition from us, but withal told us, that they would be ſo far from anſwering what the Allies might hope or expect of a ſpecial *Plenipouvoir*, that they would not ſo much as write one Syllable to Court to ask for it, they knowing very well, that the Moſt Chriſtian King was reſolved not to furniſh any more; and that it was againſt his firſt Reſolution, and merely to ſave their Credits, which they had engaged a little too far, that he came to furniſh *Five* in all; particularly that to treat with the Elector of *Brandenburgh*, in which he had the greateſt Difficulty of all.

THEY told us further, that the Nuncio had been with them the Day before upon the ſame Office, of demanding this ſpecial Power for the Duke of *Lorain*, but that they had given him the ſame Anſwer they gave us, and had abſolutely excuſed themſelves from Writing to Court upon this Occaſion at his Inſtance. This, by the Way, is the Firſt Office that we have yet heard, of the Nuncio's performing between the Parties.

WE having received a *Second* Letter from the Magiſtrates of *Hamburgh*, for our Offices to procure Paſſports from *France* and *Sweden*, for Deputies from that City to paſs to this Place of Treaty, moved them afreſh in this Converſation: They did acknowledge we had done it already very often, and that they had written ſeveral Times about it, but it was ſtill forgot at Court; they promiſed to write again, and ſo did M. *d'Olivenkrantz* for the *Swedes* Part, (whom we call'd upon as ſoon as we had taken Leave of the *French*) but he complains extreamly of the Want they are in of a free Communication with their Court, and did not forbear to attribute it to that Difficulty that *France* makes, to gratifie *Spain* in the like Demand. He thought they muſt be forced to give us a Memorial upon that Subject, tho' he ſaid it was very *fâcheux* for them to lay any Blame of that Kind upon an Ally of their own.

M. *d'Olivenkrantz*, in this Converſation, told us further, that the *French* Ambaſſadors had of late made a Propoſition to them, that *Sweden* ſhould give Way, that the Houſe of *Lunenburgh* ſhould continue in Poſſeſſion *d'une Partie* of what is taken from the *Swedes* in the Dutchy of *Bremen*; he ſaid, they kept themſelves to thoſe general Words *une Partie*, not telling them any Particulars of what the *Lunenburghers* deſired to hold with the Conſent of *Sweden*, and yet that they offered nothing in lieu of it, but that that Houſe ſhould ſtand *Neuter* towards *Sweden* during this War.

THEY, the *Swediſh* Ambaſſadors, excuſed themſelves, he ſaid, from accepting any ſuch Propoſition; partly, for the Generality and Uncertainty of it; and partly, for that they had little to hope of fair Dealing in ſuch a Neutrality; for that tho' the Princes ſhould promiſe it, yet their Troops would be ſtill underhand aſſiſting to their Enemies.

Beſides

Beſides that, they could not chooſe but take Notice, how that Game plays at this Time; for the Dukes of *Zell* and *Wolfenbuttel*, have 8000 Men that are joined with the *Brandenburgher* againſt the *Swedes* in *Pomerania*, whereas thoſe Princes have not above 3000 Men that are to join againſt the *French*, with the other Confederates on this Side.

THIS we thought more worthy your reflecting upon, becauſe it agrees with what M. *Beverning* told us not long ſince in private Converſation, that *France* had offered the Houſe of *Lunenburgh* to give their Guaranty, that they ſhould keep their Conqueſts in the Dutchy of *Bremen*; which, he ſaid, was ſufficient to ſhew them, the *Dutch*, how much they could rely on the *French*, if they ſhould make a ſeparate Peace with them, and thereby loſe the Strength which they have from the preſent Confederacy; ſince *France* did uſe the *Swede* in this Manner, who had adventured ſo much for them. The *French* Ambaſſadors here, having beſides told him, M. *Beverning*, that upon this they would not part with one Village in *Flanders*, in order to reſtore the *Swedes* to what they had loſt.

M. *Kinski* having given us laſt Night a Hint of his Deſire, that we ſhould communicate to the Body of the Allies, the Anſwer we had had from the *French* about the Buſineſs of *Lorain*, we ſent to take an Hour of them this Morning, but have it given us at 5 in the Afternoon, by which Time this Poſt will be gone. We remain always, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 25th June, 1677.

Right Honourable SIR,

SINCE our laſt of the 21*ſt*, we are to acknowledge the Favour of one from you of the 15*th* Current; and the great Satisfaction we received, by the Knowledge you were therein pleaſed to give us, of his Majeſty's approving the Paces we had made, in thoſe two Points diſcourſed to us by the *Dutch* Ambaſſadors, concerning the Competition with the *Imperial* Ambaſſadors, and the Pope's Nuncio. We ſhall not fail to inſiſt firmly upon the firſt, and to content ourſelves with the ſame Return we made to the laſt Point, upon all future Occaſions.

WE doubt not but you'll have perceived, by peruſing (at Leiſure) the Project given us in by the *Dutch* Ambaſſadors, to be preſented to the *French*, that it was the Project of a General Treaty between them, and not of a Treaty of Commerce, as you ſeemed to apprehend; and thereupon you will eaſily have remarked, the Difference between the Treaty they now ſeem to intend, and that which they concluded with *France* in the Year 1662.

WE have ſince our laſt communicated to the Allies the *French* Ambaſſadors having received the *Lorain* Propoſitions, but at the ſame Time profeſſed, that they would not ſo much as write to their Court, upon the Subject of the ſpecial Powers demanded for that Duke.

THE *French* Ambaſſadors have not yet returned any Anſwer upon the *Lorain* Propoſitions, nor the Allies any Reſolution upon the Refuſal of his ſpecial Powers.

THE *Dutch* Ambaſſadors came to us yeſterday at an Hour aſſigned, and deſired our Advice upon a Point, wherein, they ſaid, they were in Pain, and at ſome Difference among themſelves; which was, what

Courſe they ſhould hold, either by formal Proteſtations, or otherwiſe, in Caſe the *French* ſhould forbear to return any Anſwer to the *Lorain* Propoſitions, as well as continue to refuſe the procuring of ſpecial Powers.

We told them, we had Reaſon to believe they would give an Anſwer upon the Propoſitions, tho' perhaps they might firſt expect the Orders of their Court. That as to the Powers, we believed the *French* Ambaſſadors would continue to refuſe it, as well as the Allies to inſiſt upon it; but that we conceived, notwithſtanding both theſe Reſolutions, the Negotiation might yet go on, and that their (the *Dutch* Ambaſſadors) Buſineſs would be, to keep the Allies as much in Temper as they could upon this Occaſion.

They promiſed to do ſo; and being ſatisfied with our Anſwer, left off the Diſcourſe upon this Subject, to ask us, whether we heard any Thing more of a Negotiation between the *French* and the *Spaniards* at *Madrid*, for the Exchange of *Flanders*; and when we had told them, we had heard nothing further than what M. *Van Haren* had diſcourſed to us ſome Weeks ſince; they ſaid, they had, by this laſt Poſt, received ſome further Advice of it from *Vienna*, and ſpoke of it as the moſt fatal Thing that could happen to us or to them, as well as to the reſt of Chriſtendom, upon this Conjuncture.

Two Days ſince, the *Daniſh* Ambaſſador came to us, and told us, that M. *Petcum* being arrived here, with the Character only of *Deputé* or *Envoyé extraordinare* from the King his Maſter, he intended to viſit the ſeveral Ambaſſadors here without demanding the Hand; but that he demanded firſt a Declaration from the Ambaſſadors, that the *Envoyez* of their ſeveral Courts would hereafter obſerve the ſame Stile with the Ambaſſadors of *Denmark*. We told him, we could only declare what our Orders were in refuſing the Hand to all *Envoyez*, and not what his Majeſty's Orders ſhould be to his *Envoyez* upon this Point: That for a Reſult of his Majeſty upon it, they muſt apply themſelves to his Majeſty's Secretaries of State, by their Miniſters at Court; but that we were apt to believe, it was his Majeſty's Intention, both becauſe it ſeemed not to agree that an Ambaſſador ſhould refuſe the Hand to all *Envoyez*, and an *Envoye* of the ſame Crown ſhould demand the Hand of all *Ambaſſadors*; and beſides, Sir *John Werden*, who was the firſt *Envoye* ſent abroad from his Majeſty, after the Order of Council conceived in this Caſe, had told us, that he never pretended the Hand of any Ambaſſador, while he reſided in *Sweden* with that Character. We are, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 28th June, 1677.

Right Honourable Sir,

OUR laſt was of the *25th*; ſince which, we have the Favour of yours of the *19th* Current to acknowledge; wherein you are pleaſed to let us ſee, what his Majeſty hath determined, as to the Stile of *Invictiſſimus*; and alſo how we are to govern ourſelves in the ſeveral Difficulties that are like to fall out, both in Relation to the Nuncio, and to the *Imperial* Ambaſſadors.

Since our laſt, there hath nothing of any Kind occurr'd here, that can be worth your Notice, unleſs it be, that Count *Kinski* having taken an

an Hour of us yeſterday, came in the Name of all the Allies, to tell us, that they did all give their Conſent to thoſe Articles of a Reglement, we had propoſed to them anew, ſome while ago, and whereof we gave you a Tranſcript in one of our laſt. Their Conſent, he ſaid, was very entire, without any the leaſt Alteration or Reſtriction: He gave us likewiſe Thanks in all their Names, with much of Regard (as he was pleaſed to word it) to the Care and Concern we had had for the publick Peace of this Place; ſo that now having had the expreſs Approbation of the ſeveral Parties to this Reglement, we ſhall diſtribute atteſted Copies of it to remain with each; the receiving of which, being intended to be a Declaration, that each Party holds himſelf obliged.

We take leave to ſend you another Copy of that Reglement, becauſe that we have, ſince our laſt, found it neceſſary to add to it one Article more, ('tis the *6th* in Order) whereby all Parties do conſent, that the *Schout* of this Town ſhall ſeize and lay in hold any Perſon that he finds in *Flagranti Delicto*, againſt the publick Peace: Occaſion having been very lately given us for this Addition, by the Eſcape of a Perſon here, after he had, in the View of a great many People, killed another on the River Side, while that other was going to take Boat for *Rotterdam*; the Magiſtrates, upon an Opinion they had of his belonging to an Ambaſſador, delaying to apprehend him.

Poſtſcript.

SINCE the Writing of what is above, the *Dutch* Ambaſſadors brought us a *Memorial*, wherein they deſire our Offices towards the *French* Ambaſſadors for the Enlargement of ſome *Dutch* Seamen, that having been taken upon Sea in the *Indies* by the *French*, are brought to *Rochelle*, and other Parts of *France*, where they are detained and treated as Priſoners of War; whereas they, the *Dutch*, have ever ſince the Beginning of this War, practiſed otherwiſe towards the *French* Seamen, ſetting them at Liberty forthwith. We ſend you a Copy of the Memorial itſelf, and remain always, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 2d July, 1677.

Right Honourable Sir,

SINCE our laſt of the *28th* paſt, we have yours of the *22d* to acknowledge; wherein you are pleaſed to inform us, what has paſſed at Court in the Duke of *Holſtein*'s Affair, and how far our Offices may be employed in it here, by procuring Paſſports for his Miniſters, if deſired of us; which we ſhall not fail to obſerve, if further Inſtances be made to us upon that Subject.

Upon *Thurſday* Evening, the *French* Ambaſſadors gave us their Anſwers to the ſeveral Papers, which we had given them in from the *Dutch*; which was, that the King their Maſter was content that the Treaty of Commerce, concluded in the Year 1662, ſhould be re-eſtabliſhed between them *in all its Points*.

That for the two Articles which the *Dutch* Ambaſſadors had added to it, they ſaid, the King would have a great deal of Conſideration for thoſe Repreſentations which the *Dutch* Ambaſſadors had made upon the

the Article *touchant la Traité forreigne*; and tho' he would not quit a Right ſo eſſential to his Crown, yet he might come to ſome Moderation in it, after the Peace was made.

That for the other Points of *Cinquante Sols per Tonneau*, if there were any Abuſes committed by the Officers in the Levy or Execution of it, they ſhould be reform'd.

That for the Affair of the Prince of *Orange*, the King their Maſter was content to re-eſtabliſh him in the Lands of that Principality, as they ſhould be found at the Time of making the Peace; and in the Rights, as his Highneſs had enjoyed them immediately before the War began, *mais le tout ſans Dedommagement*.

That for the Buſineſs of *Maeſtricht*, they would declare themſelves *quant on viendra à Traiter plus au fond*.

Upon the firſt Part of this Anſwer, when they ſpoke of re-eſtabliſhing the Treaty of Commerce 1662 in all its Points, we reflected upon what you had written us lately, concerning ſome Articles in that Treaty, which not only run up to a Defenſive, but in ſome Kind to an offenſive League; and knowing it was a general Treaty of Alliance, tho' they were pleaſed to ſtile it only a Treaty of Commerce, we asked them, whether, in what they had ſaid of re-eſtabliſhing that Treaty of Commerce *in all its Points*, they meant *thoſe Points* only, which concerned Commerce in that Treaty? They anſwered us, that they meant the whole Treaty *in all its Points*. We told them hereupon, that they might pleaſe to remember, that we had given them in from the *Dutch* Ambaſſadors, the Project of a general Treaty, with all ſuch Articles as they had eſteemed neceſſary; and we deſired to know, what Anſwer we ſhould give them, concerning thoſe general Articles of Peace and Amity? They anſwered us ſhort, and ſomething ſlightly, that for thoſe general Articles, they did not ſee there could be any great Difficulty upon them.

Upon *Friday*, we made Report to the *Dutch* Ambaſſadors of this Anſwer from the *French*, and the firſt Part of it in the ſame Words they had firſt uſed to us, which was the Re-eſtabliſhment of the Treaty of Commerce of 1662; and added to it, what they told us laſt, that there would be no Difficulty upon the General Articles of Peace and Amity offered them by us, in the laſt Project from the *Dutch*. We omitted the *Eclairciſſement* they had given us, about the Re-eſtabliſhment of the Treaty of 1662 *in all its Points*, both in Regard of the Reflexions you had made upon ſome Articles of it, and becauſe we took it to be properly our Parts, to return from the *French* ſuch Anſwers as they had thought fit to give us to the Papers and Projects, which we had formerly carried them from the *Dutch*.

The Anſwer which the *Dutch* made us upon the whole, was only, that they ſhould be glad, that the reſt of the Allies were as far advanced in the Treaty, as they the *Dutch*; and we could not but reflect both upon the Shortneſs of this Anſwer, and the Negligence wherewith they received our Report of it, not offering either to mark upon Paper any Heads as we delivered it, nor deſiring us to repeat any Word of it, as has been uſual, upon the Reports of any Matters of Moment, which have not been made in Writing: This made us ſee plainly, that the Account we had given them, was not at all new to them, and was only made uſe of by Way of Form, when they underſtood one another beforehand by their own Communications together, without any Intervention of ours.

AFTER this had paſſed, and we found the *Dutch* intended to ſay no more upon it, we turn'd it into ordinary Converſation, and asked them pleaſantly, Whether the Peace were made? And whether they were ready to ſign the Treaty of 62, which would do the whole Buſineſs between them? M. *Beverning* anſwered us gravely, that in the Treaty of 62, which was made when they were in Friendſhip together, the Buſineſs of Commerce was not only regulated between them, but there were likewiſe Articles of defenſive Alliance: That they were now in War, and a Peace muſt be made before Alliances could be thought of; and therefore in their laſt Project, they had left out the Articles which concern'd the Defenſive Alliance in the Treaty of 62, and had given in only ſuch General Articles, as they had thought neceſſary in this preſent Treaty, for the reſtoring of Peace and Amity between them. We purſued this Diſcourſe no further, but ended the Conference with the Talk of current News.

WE yet hear nothing from the *French*, in Anſwer to the Propoſitions of *Lorain*, tho' they ſeem to believe they ſhall by the firſt receive Orders upon it; and Count *Kinski* tells us, that the Allies can make no further Pace, till the *French* Anſwer upon that Point be received; they, the Allies, being obliged to carry on the Affairs and Intereſt of the Duke of *Lorain* in this Treaty, by equal Steps with the reſt of the Confederates. We remain always, *&c.*

W. Temple.
L. Jenkins.

Nimeguen, 5th July, 1677.

Right Honourable SIR,

MR. *Smith* the Expreſs arrived here on *Tueſday* the 3*d*, at 7 in the Morning, which was very good Diligence, conſidering how much he was becalmed at Sea.

THE Letter which he brought us from you of the 29*th* paſt, being principally a Summons to my Collegue, gives me Occaſion to ſay little more, but that he, in Obedience to it, hath begun his Voyage down the River this Morning.

I am very glad to find by the ſame Letter, that Count *Wallenſtein* is ſo fully ſatisfied in the Matter of the Emperor's Titles; I ſhall lay carefully what you are pleaſed to adviſe of it, leſt the *Imperial* Miniſters here ſhould happen, upon ſome new Occaſion, to ſtir up that Affair again.

M. *Blaſpiel*, in a Viſit he gave me on *Tueſday* laſt, telling me that M. *Schwerin* was expected to take a Turn ſuddenly into this Country, but to return again into *England*, took Occaſion to ſay, that he hoped, nay, doubted not, but that his Majeſty would ſtill continue his Care of this Aſſembly, and his Endeavours to give a General Peace to *Chriſtendom*.

I told him, there was no doubt to be made of that, notwithſtanding that his Majeſty might expect much more handſome Returns to thoſe infinite Pains, and to that Zeal of his, as General Mediator, than he does in thoſe impudent and malicious Reports that had been ſpread in this Country, and in this very Town, upon the Occaſion of his Majeſty's equipping ſome Men of War for the Safety and free Trade of his own Subjects.

HE acknowledged there had been Reports here that were *fort injurieux* (that was his Word) *à ſa Majeſté*, but that he did not believe them;

them; beſides that, when they were firſt noiſed Abroad, he was fully ſatisfied with the Advice that the *Brandenburgh* Miniſter ſent them from the *Hague*; it was, that that Miniſter ſpeaking with the Penſioner *Fagel* upon thoſe Reports, the Penſioner deſpiſed them with ſome Indignation, *Ce ſont des Coquins*, ſaid he, *qui font courir de tels Bruits, nous n'avons pas le moindre ſujet de nous plaindre de la Conduite de ſa Majeſte* Brittanique *envers nous depuis la Paix faite avec elle, ny rien plus à ſouhaitter, ſi non qu'elle ſe laiſſât diſpoſer à faire quelque Pas en faveur de nôtre Alliance.* There paſſed nothing elſe that was material in our Converſation.

THIS Day at Noon, the *French* Ambaſſadors took an Hour of me, their Buſineſs was, to deſire my Offices with the *Imperial* Ambaſſadors, in order to have Prince *William* of *Furſtemburgh* ſet at Liberty. The Argument they uſed to me was, that this Aſſembly being now compleat, and the Parties having entered into Matter, they had Order to renew that Inſtance which the King their Maſter had ſtood upon before the ſending of them, the Ambaſſadors, to this Place; that he did not indeed perſiſt in it at that Time, becauſe his Majeſty had interpoſed, and taken upon himſelf to endeavour, that the Matter ſhould be brought to a good Iſſue; and for that Conſideration, they had made no Preliminary of this Demand; but that now the Moſt Chriſtian King finding the Succeſs does not anſwer his Expectation, he hath ordered them, by the Letters that came in late laſt Night, to reſume the Point of that Prince's Liberty; and therefore deſired my Offices upon it.

I told them, that this was an Affair in which his Majeſty had been pleaſed to concern himſelf, and that his Miniſter at the Court of *Vienna* had made ſeveral Inſtances; particularly for the Temperament of having him *ſequeſtred* into a third Hand; that I knew not in what State that Negotiation was at the preſent, as to his Majeſty's Part in it, only that we here were not yet inſtructed to make any Step in it in this Aſſembly in his Majeſty's Name.

M. *d'Avaux* replied upon me, they knew very well his Majeſty had done great and good Offices, and did ſo ſtill in this Matter; they doubted not, he ſaid, but as I would write of this Inſtance of theirs to Court, ſo in Time his Majeſty might be pleaſed to order, to have it purſued further in his own Name; in the mean time, that they could not forbear requiring the Offices of the Mediation in that Affair, the Orders they received laſt Night being preciſe to that Effect; but as to the Temperament (which I had touch'd upon) of *ſequeſtring* him, M. *d'Eſtrades* ſaid, their Orders were not to compromiſe it in that, but to demand he ſhould be ſet at Liberty. I remain, *&c.*

L. Jenkins.

Nimeguen, 9th July, 1677.

Right Honourable SIR,

IN my laſt, which was of the *5th*, (ſince which I have not any from you to acknowledge) I gave you an Account of the Inſtance that the *French* Ambaſſadors deſired ſhould be made in the King their Maſter's Name, for the Liberty of Prince *William* of *Furſtemburgh*.

NEXT Morning, at the Hour given me, I performed my Office with M. *Kinski* alone; (M. *Stradtſman* not being in Town) he told me, he foreſaw the greateſt Difficulty that would be in this Affair, partly becauſe of the Scandal that Prince *William*'s Crime had given, partly becauſe

becauſe that the Reputation of the Emperor, and his Juſtice, (as a Lord over his Vaſſal) was much intereſſed in the Affair.

He would have known of me, whether the *French* did demand that Prince's Liberty as a Matter of Right and Juſtice, or elſe as a Grace and Favour that the Emperor might do him: But being deſired to conſider, this was no more than the renewing of a Demand that the Moſt Chriſtian King had made long ago, and before the forming of this Aſſembly, and to make his own Judgment upon that Queſtion, he enquired no further into that Matter. Then he asked me, whether I made this Inſtance by any Direction from his Majeſty? I told him, not; that this Motion came upon the Inſtance of the *French* Ambaſſadors only, and upon Orders they had received by the laſt Diſpatches from their Court.

At laſt he told me, he would charge himſelf to repreſent this Inſtance of mine, being made at the Requiſition of the *French nuëment & ſimplement*, to the Court at *Vienna*. But his final Reſolution was, that he deſired a few Hours of me to look upon his Papers, and then he would bring me his Anſwer himſelf; deſiring that what had paſſed between us, might go for Diſcourſe only in ordinary Converſation.

His Anſwer that he brought me within a few Hours after, was to this Effect:

1. That the Point of the Prince of *Furſtemburgh*'s Liberty was a particular Affair, and the Intereſt of a particular Perſon; and conſequently ſuch that he did not think ought to have Place in the Negotiations for the General Peace.

2. That he, for his Part, had been ſent hither to attend the Affairs of the General Peace only, and for that Reaſon could not intermeddle in a particular Affair of this Nature.

3. That the Prince of *Furſtemburgh* is accuſed of a Crime committed againſt the Emperor and the Empire, and that it is *le Sentiment de ſa Majeſté Imperiale*, that he ſhould anſwer it, not in this Place, but in another; that is, *in foro competente*, as he was pleaſed to expreſs it twice or thrice.

On *Saturday* Morning, I gave an Account of this Anſwer to the *French* Ambaſſadors, who, after they had made ſome Reflexions upon it, in ſaying, that this could not be reputed a particular Affair, for that it had been the Cauſe of the breaking up the Conferences for a General Peace at *Cologn*; and that the Prince is ſo far from being guilty of any Crime againſt the Emperor and Empire, that the very Treaties he is charged to have made for the Elector of *Cologn*, wherein there was ſtill a *Salvo* for the Empire, are an abundant Juſtification of him; they concluded, that they could do no more in this Affair, but acquaint their Maſter with this Anſwer, and deſire me to give his Majeſty an Account of it likewiſe.

I had no ſooner given an Account of this to the *French* Ambaſſadors, but I perceived from M. *Ducker*, they had been to demand the Nuncio's Offices in the ſame Point; but it did not appear that he had yet performed it with M. *Kinski*; 'tis probable he hath done it ſince, but I have yet learned nothing of the Anſwer, or the Succeſs.

On *Thurſday*, late in the Evening, M. *de Beverning* brought me the two Memorials incloſed, deſiring my Offices upon them to the *French* Ambaſſadors.

The *one* is a Complaint of the Infraction made upon the mutual Accord between *France* and theſe States, for the Liberty of Fiſhing to the Subjects of each reſpectively; the Privateers of *Dunkirk* having

taken four of the *Dutch* Buſſes, to the Ruin of thoſe poor Peoples Voyage, and other Damages and Cruelties, for which they deſire full Reparation.

THE *other* Memorial was, that the States having received Informations of the ill Treatment that the *Dutch* Soldiers, who were taken Priſoners at the Battle of *Mont-Caſſel*, do meet with in ſeveral Places of *France*, particularly at *Abbeville*, where they are ill treated, not only for the Place of their Impriſonment and Nouriſhment, but in Regard of the Reformed Religion which they profeſs; their Deſire was, that the Moſt Chriſtian King might be moved by his Ambaſſadors, to give the neceſſary Orders for the treating of thoſe People with ſome Civility, and eſpecially with all Sort of Liberty for their Conſciences, according to the Uſage every where received by the Law of Nations.

NEXT Morning, having taken an Hour of the *French* Ambaſſadors, and opened theſe two Points to them, they made no Difficulty to charge themſelves with the *Firſt* Memorial, and to promiſe their good Offices upon it, ſince it was in Favour of a mutual Accord between them and the *Dutch*. For the *Second* Memorial, M. *Colbert* ſtorm'd at it mightily, they muſt not, he ſaid, charge themſelves with it by any Means, it being a Libel, very injurious to the King their Maſter's Reputation: He ſaid, the Informations to the States were from one *Roqueſerviere*, (that paſſed here in the Quality of a Gentleman of M. *d'Avaux*'s Train, but is now gone over to their Enemy) he called him *perfide & traitre*, tho' while he was here, they ſeemed to ſet a great Value upon him; the ill Treatment of the *Dutch* Priſoners, they would have to be the more improbable, for that the Officers which are now Priſoners in *France*, do from all Parts write hither to their Friends, with very great Commendation of their Treatment where they are; and for the Matter of Religion, they would not allow there could be any ſuffering for it, or Diſtinction made about it in *France*, eſpecially at *Abbeville*, where one half of the Town is *Proteſtant*.

THE Iſſue was, they would charge themſelves with this ſecond Memorial, but refuſed to take it from my Hand; tho' M. *d'Eſtrades* afterwards whiſpered me in the Ear, that they would touch a Word about it in their Diſpatch of that Day.

M. *Haren*, when I gave him an Account of this Anſwer, told me, (his Collegue being not in the Way) that he could not believe the States his Maſters did come to a Reſolution (ſuch as their Memorial is grounded upon) upon a wrong Information; and that he was certain, there was a different Treatment ſhewed thoſe poor People, according as they happen'd to be of the one or of the other Religion.

M. *Beverning*, after he had diſcourſed on *Thurſday* upon the Subject Matter of his Memorials, and recommended them to me, ſet himſelf into a Diſcourſe of the preſent Motions of the Armies, and the little Probability he thought there was of any important Change, that the State of Affairs may receive from the Operations of thoſe Armies this Summer. Then he ſpoke of the Neceſſity they, the *Dutch*, would be in, to make a Peace this Winter; *nous creverons autrement*, was an Expreſſion he uſed. And ſpeaking further of the weak Defence the *Spaniards* had made of the Places they had loſt in the *Netherlands*, and that there was no Way of ſaving the few that were left, but by putting in their Troops into them this Winter for their Defence, he preſently recalled himſelf, that that could not be, for that they muſt make up a Peace this Winter. I am ever, *&c.*

L. Jenkins.

Nime-

Nimeguen, 12th July, 1677.

Right Honourable SIR,

MY laſt was of the *9th*, ſince which I have not the Favour of any from you to acknowledge.

THAT ſame Evening M. *Ducker* brought me a *Plenipouvoir* from the Biſhop of *Strasburgh*, in which all Mention of Prince *William* of *Furſtemburgh*'s Impriſonment and Intereſts are left out, which were, as we conceived, too much enlarged upon in a Power he offered us ſome Months ſince. You will ſee the Tenor of it by the Copy herewith incloſed. He deſired my Offices in preſenting it to the *Imperial* Ambaſſadors, and in leaving a Copy with them. He left with me alſo the Copies of ſix ſeveral Paſſports for himſelf, that is, from the Emperor, from *Spain*, from *Denmark*, from *Sweden*, from *Holland*, and from *Brandenburgh*; the Copies whereof go herewith incloſed.

M. *de Kinski* (who is the only *Imperial* Ambaſſador now in Town) being indiſpoſed, I have not been able to perform my Offices on M. *Ducker*'s Behalf, who ſuppoſes that the exhibiting of ſo many Paſſports will be a ſufficient Anſwer to the *Imperial* Miniſters, upon that Queſtion they made us, when we made heretofore our Addreſſes for his being admitted to viſit them: The Queſtion then made was, Whether his Maſter came in as an Ally to any Party againſt the Emperor, or not? M. *Ducker* now ſays, that if he be put upon it, he will own, that the Moſt Chriſtian King has accorded to his Maſter the Honour of his Alliance; but he had much rather his Maſter were underſtood as a Prince that has never entered into any Alliance againſt the Emperor or the Empire; but deſires heartily to return into the Emperor's good Graces, he having not made his Retreat into *France* for Protection and Shelter, but at a Time when he thought his Life could not be ſecure without it.

M. *Ducker*, I perceive, makes Uſe of the Nuncio's Mediation, for the Admiſſion he deſires of his Power, and for the receiving of his Viſits.

YESTERDAY M. *Heugh* took an Hour of me for himſelf and M. *Petcum*, whom his Secretary that took it ſtyled, *Deputé Extraordinaire & Conſeiller de ſa Majeſté Danoiſe*.

I received M. *Heugh* at the uſual Place I do receive Ambaſſadors when they come to ſee me; I ſaluted M. *Petcum* that came after him; but when I had done, I cut between them both; when we came to the Room to ſit down in, there was no more but one Chair for M. *Heugh*, and another for me, in the Manner uſual between Ambaſſadors. When we two had taken our Places, I ordered a Chair to be taken out, and ſet for M. *Petcum*, but it was upon my Left Hand, and upon the ſame Level towards the Door: At this Treatment they ſeemed to me to be much out of Countenance, however, they digeſted it, M. *Petcum* treating me all the while *de Monſeigneur*; and ſaying in the Cloſe of our Converſation, he had viſited me as a Mediator in the firſt Place, and he would viſit the Ambaſſadors of all Crowned Heads without pretending to the Hand, but not the Ambaſſadors of Electors.

M. *Heugh*'s Buſineſs was, as he told me, to bring M. *Petcum Deputé Extraordinaire* and Councellor of his King, to renew his Acquaintance with me.

2. TO give me Part of the Victory againſt the *Swedes*, adding, that his Majeſty, conſidering his Relation to, and Alliance with the King

of *Denmark*, would bid welcome to this News; which gave me an Occaſion to inſinuate to him, that I thought his Majeſty's Wiſhes, as the common Mediator of Chriſtendom, were, that the Operations and Events of this War might all contribute to a General Peace.

THE *third* Thing was, to deſire my Offices in diſcovering whether the Ambaſſadors here would receive M. *Petcum*, and treat him, M. *Petcum*, as a Miniſter of the ſecond Order, without their reſpective Maſters pretending other Treatment to their Miniſters from the Ambaſſadors of the King of *Denmark*, when ſuch Miniſters ſhould happen to be of the ſecond Order.

MESSIEURS *Heugh* and *Petcum* both told me, they did not ſuppoſe there would be much Difficulty with the Ambaſſadors of *France*, for that *England* and *France* had eſtabliſhed a Rule for the Treatment of *Envoyez* in Ambaſſadors Houſes in the Court of *Sweden*, in Sir *John Werden*'s Time, whom M. *Petcum* cited particularly; the Ambaſſadors of thoſe two Crowns not giving the Hand to Miniſters of the ſecond Order in their Houſes, and thoſe Crowns not pretending the Hand from Ambaſſadors of other crown'd Heads to their Miniſters, when they are no other than of the ſecond Order.

THEY forewarned me, I ſhould find Difficulties with the *Spaniards* and *Imperialiſts*, who are not willing to enter into any ſuch Stipulation: They told me further, that they, the *Danes*, would have a Difficulty on their Part with the *Brandenburghers*, and therefore deſired me to ſound that Ford; for tho' M. *Petcum* does not as *Deputé* Extraordinary (which they told me was the ſame Thing with *Envoyé* Extraordinary) pretend the Hand in their own Houſe from ſuch Ambaſſadors of Crown'd Heads as are content to have their own *Envoyez* Extraordinary ſo treated by the *Daniſh* Ambaſſadors; yet that he did pretend it from the *Brandenburghers* for two Reaſons.

THE one, that the *Dutch* Ambaſſadors had given him, M. *Petcum*, the Hand in their Houſe here, in Conformity to a Reſolution of their Maſters, paſſed in Favour of *Envoyez* Extraordinary; and it being certain, the *Brandenburgh* Ambaſſadors can pretend to nothing, unleſs it be by Way of Competition, above the Ambaſſadors of the States General, 'tis but juſt that the *Brandenburgh* Ambaſſadors, who are newly entered into the Poſſeſſion of an equal Treatment with the *Dutch* Ambaſſadors, ſhould be content to be differenced in this Point from the Ambaſſadors of *Crown'd Heads*, in the ſame Manner, and with the ſame Condeſcention towards Miniſters of the ſecond Order, as the *Dutch* Ambaſſadors have been pleaſed to difference themſelves in, all this while; and both M. *Heugh* and M. *Petcum* told me, that as the Anſwer of the *Brandenburghers* had been, when they were ſounded by others in this Point, that they would write about it; ſo they, the *Danes*, are reſolved, that M. *Petcum* ſhall not viſit them, unleſs they will ſtipulate expreſly their Hand to him in their Houſe. They gave me leave to do theſe Offices (as they were pleaſed to word it) at my beſt Leiſure, deſiring I would not make a Buſineſs of it directly, but rather diſcover the Inclinations of thoſe Parties that are like to be difficult, by the By.

YESTERDAY M. *d'Avaux*, in an ordinary Viſit, told me, that M. *de los Balbaſes* was not *Vû de bon oeil à Amſterdam*, the People there having their Hearts ſet upon a Peace, to which they think the *Spaniards* are no Friends. There are three of the Gentlemen the moſt *adroitz* in the whole Train of the *French* Ambaſſadors, that have a Paſſport to ſpend a Fortnights Time in *Holland*; they ſay, the Paſſport hath

hath been a great while ſought for them, but they have not been able to obtain it till now.

M. *d' Avaux* further ſays, that the great Expectation now is, what his Majeſty will be pleas'd to lay before all the Parties, as a *Plan* for the General Peace; which he looks upon, he ſays, as a deſperate Buſineſs, if it be not finiſhed this Winter, by the Authority of his Majeſty. He told me, he hoped that they, the *French* Ambaſſadors, may by this Day's Ordinary receive an Anſwer upon the *Lorain* Propoſition, the Want of which, the Allies ſay, *accroaches* the whole Negotiation at this Time.

M. *Beverning* has taken a Turn on *Monday* laſt, to his Country-Houſe in *Holland*, as 'tis given out here, and not to the *Hague*.

M. *d' Avaux* hath had ſome Intimation, that the *Spaniſh* new Powers are at laſt arrived; and he told me, we may 'ere long expect to hear of all the *Spaniſh* Ambaſſadors appearing in publick, and receiving Viſits.

M. *de Haren* told me this Day, that the Powers are for certain come, and that he had had a Copy of them ſent him this Morning; and did much wonder, that the Originals themſelves had not been yet communicated to me. He told me withal, that he and his Collegue had talked to M. *de los Balbaſes*, about three Weeks ago, of giving the firſt Reſpect in Matter of Notification to the Mediators; but found him very *Opiniâtre*, he ſaid, to give it firſt to the Emperor's Ambaſſadors, and then to the *Mediators*; whence it may be gueſſed, what we are to expect in that Point.

SINCE the Writing of what is above, I have the Favour of yours of the 3*d* Current to acknowledge; and therein his Majeſty's gracious Directions, how we are to govern our ſelves here, when there is Occaſion given, upon the Point of Prince *William* of *Furſtemburgh*'s Liberty. I am likewiſe humbly to acknowledge the Copy I find in it of his Majeſty's Letter to the King of *Denmark*, upon the Duke of *Holſtein*'s Concern: As alſo the great Satisfaction you give me, in that I am not to be here long alone, Mr. *Hyde* having Orders to depart forthwith to his old Poſt, where I ſhall be moſt glad to ſee him.

M. *Petcum* left with me a Copy of his Commiſſion, with a Deſire I would take Notice of it to the Parties here, as I ſhould have Occaſion; a Copy of which goes herewith; if I miſtake not, he is made no leſs than a Plenipotentiary by it. I remain always, *&c.*

L. Jenkins.

Nimeguen, 16th July, 1677.

Right Honourable SIR,

MY laſt was of the 12*th*; ſince which, I have the Favour of yours of the 10*th* to acknowledge; and therewith a Copy of a Letter from his Majeſty's Ambaſſador at *Paris*, to Mr. *Secretary Coventry*, touching the Treaty of Commerce to be re-eſtabliſhed between the *French* and the *Dutch*; upon which Point his Majeſty is pleaſed to direct, that I ſhould try to find out what is the true State of that Buſineſs, and whether it be intended, that the firſt eleven Articles of the Treaty in 1662 ſhould be inſerted, and make a Part of this Treaty.

UPON

UPON this Point, I ſhall take leave to give you as diſtinct an Account as I can, of what paſſed between the *French* Ambaſſadors and my ſelf yeſterday at their Houſe, where I had taken an Hour, in Order to know, whether they had any Anſwer or no upon the Buſineſs of *Lorain*; Meſſieurs *Kinski*, *Heugh*, and *Van Haren*, having, as Deputies from the whole Alliance, deſired my Offices on *Saturday* to that Effect. They began with telling me, after I had performed my Offices, that the Gentleman I had ſent, had juſt prevented theirs, they having ordered an Hour to be taken of me. Their Buſineſs was, partly to give their Anſwer upon the *Lorain* Propoſitions, and partly to come to an *E'claircifſement* with me (but it ſhould be *par voye d'Amitie*) only, in a Buſineſs that concerned them very much,

THEY had underſtood, they ſaid, from M. *Courtin*, that his Majeſty was extreamly diſſatisfied with the Proceedings here between theſe Ambaſſadors and the *Hollanders*, in that they intended to re-eſtabliſh between them the Treaty in 1662 in all its Points, and particularly in the 12 firſt Articles, which concern not the Commerce at all, but are a kind of a League defenſive, which is, in certain Caſes, to proceed to an offenſive; and that his Majeſty had had that Information from us here, by Way of an Account that we gave of the Anſwer that the *French* had lately deſired us to convey to the *Dutch*, upon the ſeveral Points in Difference between them.

THEY did not deny the Words *in all its Points*, but ſaid, they had expreſly limited them to the Point of *Commerce* and *Navigation*, and had ſaid, *que quant au Commerce & à la Navigation que le Roy ſeroit Content que le Traité de Commerce de 1662 fût établi en tous ſes Points.*

THEY were very earneſt to perſwade me, that they did not, nor could mean any other, in Regard the *Dutch* in their Project had paſſed over thoſe 12 Articles, and began with the 13*th*, and ſo forwards; nay, they would needs have it ſo, that we could not chooſe but have taken notice of it, ſince we had handed the Project to them, wherein was to be obſerved at firſt Sight, that as it was an Extract of ſome Articles of the Treaty of 1662, ſo it began not till the 13*th* Article, and had nothing of a League defenſive in it, or to that Effect; M. *d'Eſtrades* had the Project in his Hand that we had delivered them, to convince me.

ANOTHER Thing they ſaid, that the Directions that the Moſt Chriſtian King had given them, how to make their Anſwers upon the ſeveral Points, where he ſpeaks of his being content to have the Treaty of 1662 re-eſtabliſh'd; he limits his Directions —— *à l'égard de la Navigation & du Commerce*; and then M. *Colbert* read me a Line or two out of that, which, he ſaid, was the Original Directions of their King upon that Point: Concluding, that it was highly improbable, that they ſhould ſo groſly miſtake, or ſo boldly vary from their Orders, as to take in foreign Matter, which the *Dutch* never demanded, nor the *French* never meant to agree to.

THIS being ſo, they ſaid, the *Dutch* having never demanded, nor they anſwer'd any Thing upon 12 *Articles*, they deſired I would do them that Juſtice, as humbly to repreſent to his Majeſty the Particulars abovementioned, and which M. *d'Eſtrades* did preſs very much that I would bear them Witneſs they had not, when they ſaid the King their Maſter was content to have the Treaty of 1662 re-eſtabliſh'd *in all its Points*, added any ſuch Thing particularly, and by Name, as that

the

the 12 *firſt Articles* were to be taken in; for ſo it ſeems M. *Courtin* had repreſented the Account of this Thing we had given to his Majeſty.

I begg'd their Excuſe, that I was not able to charge my Memory of a ſudden, nor to give an Account of the preciſe Words we may have uſed, in our Report to his Majeſty; only I was able to tell them ſo much upon the Strength of it, as that we had repreſented thoſe Words *en tous ſes points*, as Part of their Anſwer; but that I was very confident, and did aver it to them, that we had made no Mention of thoſe 12 Articles, as if they had in their Anſwer taken them in expreſly by Name, as well as the following Articles from the 13*th* downward; for that I could not call to Mind, that there was any Mention made, either by them or us, of a diſtinct Number of Articles, with Reflexion upon them, as they related or not related to the Commerce.

As for what we might have obſerved (as they would have it) from the Project itſelf, ſince it is pretended to be no more than an Extract of ſo much of the Treaty of 1662, as concerns the Commerce only, and that it begins at the 13*th* Article, I told them that, for my Part, the Notion I had of it at that Conference was ſomewhat confuſed, it was a long while ſince it has paſſed our Hands, the *Dutch* having not left a Copy with us, as is uſual, but had preſſed us to hand it over to them, the *French*, in all Haſt, that the *French* Poſt of that Day might not be loſt, which we did accordingly; and had no Copy from the *Dutch* till we were forced to remind them of it, and that was ſome Days after we had received that Anſwer from them, the *French:* However, that I was confident they would not ſay, that when, in their Diſcourſe to us, they had ſaid they accepted the Treaty of 1662 in all its Points, they had at that Time limited their accepting it from the 13*th* Article forward, or any ſuch Thing.

Besides, I had a Notion, I told them, at that Conference, that they uſed the Words *en tous ſes points*, the rather for that the *Dutch* might have made ſome Alterations in the Articles of 1662, and that the Moſt Chriſtian King choſe rather to keep himſelf to the Letter of that Treaty in all its Points, than to follow the *Dutch*, in the Extenſions or Reſtrictions they may have made of thoſe Articles in their new Project: This Notion M. *Colbert* allowed to be the Truth of the Thing, but ſaid, it would have been very well had I then called upon them, as I did not, to know whether the Thing was ſo.

Their acquieſcing in this Anſwer of mine, and their laying a great deal of Blame upon the *Dutch*, for not giving us a Copy at the Time they gave us the Project, and their ſaying that the Want of that Copy muſt be the Cauſe that we did not comprehend them rightly at the laſt Conference, made me think they had talked with the *Dutch* already upon this Matter, and had found that we had no Copy come to our Hands, as we had none from the *Dutch* Secretary till the 7*th* of this Month.

They preſſed very much for my giving an *Eclairciſſement* to Court, in order to ſatisfie his Majeſty in this Point: I told them, that ſince it was not denied on their Part, but that they uſed the Words *en tous ſes points*, and ſince it was not pretended, that they ever told us, they meant not the firſt *Twelve Articles*, but meant in all Points from the 13*th* Article downward, that the further Explication of their own Words was fitteſt to come from themſelves; and therefore I offered myſelf ready to take it in Writing, as they ſhould pleaſe to dictate it, leaſt the failing of my Memory, in carrying of Words, or the changing of thoſe they ſhould uſe to me, ſhould expreſs the Thing ſhort of what they

they intend; and then, after much Diſpute between themſelves, M. *Colbert* and M. *d'Avaux* together, dictated the Words following, which I take Leave to inſert juſt as I took them from their Mouth:

— *Que la Demande de Meſſieurs les Eſtatz étoit partagée en deux.*

L'une, qui ne regarde que le retabliſſement du Commerce & la Navigation: L'autre, les Articles generaux regardant Orange, Maeſtricht, *&c.*

La premiere Demande qui concerne le Commerce, commençant par l'Article 13^me^ *du Traité de* 1662; *les dits Ambaſſadeurs n'ont jamais pretendu repondre ſur d'autres Articles que ceux qui ſont contenuz dans la dite demande; Et que s'eſtantz Expliquez que le Roy leur Maître conviendroit des mémes Articles du Traité de* 1662. *qui reglent la Navigation & le Commerce entre ſes Sujets & ceux des Eſtatz Generaux, il ne ſe peut étendre n'y expliquer que depuis le* 13^me^ *Article juſques à la fin, & non pas des douze precedentz dont il n'y aura eſte fait aucune demande, & dont il n'y point queſtion.*

THIS being dictated, I read it twice over, and they told me 'twas their Senſe, and deſired I would repreſent it to his Majeſty: I did, I muſt confeſs, preſs the more to get ſomething in Writing, for that I perceived, by the Account to Mr. Secretary *Coventry*, that M. *de Pompone* would not be brought to any ſuch Thing; and had I perceived that they had had any Order from their King to come to this *Eclairciſſement*, I would have deſired an Extract of it; but, as far as I could perceive, they came to deſire this *Eclairciſſement*, not by any Directions from their Court, but upon the Alarm that M. *Courtin* had given them.

AS to their Anſwer to the *Lorain* Propoſition, which was the Occaſion of that Part of that Conference, they gave me that Paper back again that we had put into their Hands; telling me, that they could not accept of it; for that it ſuppoſes, as it is penn'd, that the Duke of *Lorain* wanted Paſſports for his Miniſters, and had therefore been forced to make Uſe of the *Imperial*, *Spaniſh*, and *Dutch* Ambaſſadors, to manage his Pretenſions; whereas at the Time this Propoſition was given in, he had his Miniſter upon the Place, his *Plenipouvoir* had been accepted, and his Viſits received. That for that Reaſon they expect the Duke of *Lorain* ſhall give in his Demands, by his own Miniſters, as other Princes have done; and that when his Propoſition is given in according to the Forms, they will then anſwer, and not before.

THEY had a Paper ready drawn to this Effect, which they pretended to have provided for me, for the Help of my Memory; I do not intend to make any Uſe of it at the Audience I am to have at five this Afternoon of the Body of the Allies, for there is that in it which would be *choquant*, in that they call the Duke of *Lorain* no more but M. *le Prince Charles:* But now the Allies will ſee the Truth of what we had foretold them, upon the Incongruity of their Paper with the Matter of Fact; yet M. *Kinski* would needs force it upon us, and M. *Cannon* durſt not differ from it.

ON *Friday* laſt, M. *Sherwood* of *Lambſpring* in *Hildſheim*, paſſed through here for *Cambray*; he came yeſterday was ſevennight from the Duke of *Hanover*'s Court, who is upon ſending hither a very ſplendid Embaſſy, which, he ſaid, was to ſet out laſt Week: That Duke has ſome deep Reſentments, as he apprehends, againſt the Elector of *Brandenburgh*, and the Biſhop of *Munſter*; — *ils me traitent comme un Chien*, was one of the Expreſſions he uſed of them to M. *Sherwood*; but the Duke ſeemed not to charge the King of *Denmark*, of whom, he ſaid, he would have Reaſon to complain, but that he has upon his Hands in *Schoonen*, as much as he can well deal with. All this, I ſuppoſe,

poſe, relates to ſome Agreements between them, that are hinted in the Propoſitions of that Duke, whereof we gave you an Account ſome while ſince. M. *Sherwood* thinks the Treaty of that Duke with *France* holds good, tho' it was lately upon breaking; however, the Duke makes good his Quarters in *Hildeſheim*, and there was an *Imperial* Miniſter for 20 Days together in that Town ſo much *incognito*, that the *French* Miniſter knew nothing of it. I am ever, SIR, *&c.*

L. Jenkins.

Nimeguen, 19th July, 1677.

Right Honourable SIR,

IN my laſt, which was of the *16th*, (ſince which I have not the Favour of any from you to acknowledge) I gave you an Account of the *French* Ambaſſadors Anſwer upon the *Lorain* Propoſition; at 5 I made a Report of it at the Aſſembly of the Allies, who received, ſeated, and reconducted me, (tho' ſingle) as they have been uſed to do all of us, when we have gone 2 or 3 together.

WHEN I had made my Report, and M. *Kinski* recapitulated it, M. *Van Haren* moved I might be prayed to give it them in Writing *per dictamen*, as his Word was: This I made no Difficulty to do, and a Secretary was called in, to whom I dictated over, as near as I could, what I had told them before.

WHEN this was done, I deſired I might have a Copy of it, and Liberty to have Recourſe to the *French* Ambaſſadors, in order to know of them, if I had rightly and fully comprehended their Meaning; this the Allies conſented to; nor did the *French*, when I ſhewed them the Paper I had dictated, except againſt any Thing in it; it goes along herewith; only the Preface is none of mine; the Allies made it; I added the *Salvo — à cet Effet*.

WHILE this Paper was a copying out, M. *Kinski* having told me, as the Mouth of the Aſſembly, that they would have their uſual Deliberations upon the Anſwer, he and M. *de los Balbaſes* enlarged upon ſeveral Obſervations, of the many and long Delays this very firſt Propoſition of *Lorain* had endured, having been given in ever ſince *March*, and had no Anſwer to this Day; nay, that the Anſwer I now brought them was perfectly dilatory, ſince if they ſhould put the very ſame Propoſition Word for Word, into the ſame Dreſs the *French* would have it, yet it muſt go to *Paris* once again to be conſidered of, before it receive an Anſwer.

I did not wonder to hear this in the Aſſembly, but I did wonder that M. *Stradtſman*, in a Viſit he gave me ſome while before, could give me an Account of the Anſwer, which I had not communicated to any living; but he told me, they had underſtood by the Nuncio what the Anſwer would be, the Confederates having (it ſeems) employed him, as well as me, to the *French*, in order to procure an Anſwer.

ON *Tueſday* I took an Audience of the *Imperial* Ambaſſadors, and repreſented to them, how his Majeſty had foreſeen that *France* would take up again the Buſineſs of Prince *William*'s Liberty, as by the laſt Advices from hence his Majeſty had underſtood they had already done; which gave his Majeſty's Thoughts a great deal of Trouble, in Regard they may at laſt come to preſs it with that Earneſtneſs, as to make a Preliminary of it, and conſequently bring all the Negotiation of this Place to a Stand.

I obſerved to them, that the ſame Care that brought his Majeſty to be concerned at this Time in this Incident, had given Occaſion to the firſt Applications he had made to the Emperor about that Prince; he foreſaw then, that there could be no Aſſembly here form'd, unleſs that Difficulty were removed out of the Way; and he foreſaw now, that there will be no Progreſs in theſe Negotiations, if *France* do reaſſume their firſt Reſolutions, to have Reaſon done (as they call it) in the Affair of that Prince, and then ſtand to it immoveably, as his Majeſty apprehends they may: That as our Hopes are greater now the Aſſembly is compleat, than they could be when there was none formed; ſo his Majeſty has the more anxious Thoughts, that an Incident of this Kind do not diſturb or interrupt the preſent Proceedings; and therefore I deſired them to conſider ſeriouſly with themſelves, and then to repreſent to his *Imperial* Majeſty, that whatever Surmiſes may have been made of the King our Maſter's concerning himſelf at firſt in this Affair, as if he had done it to gratifie *France*, there can be none imagin'd at this Time, that makes him to reaſſume it with a greater Zeal than ever, and to hope and expect ſome Temperament from the Emperor; but that he ſees plainly what Influences this Matter will have upon our Conferences here, as his Majeſty's Aim and Deſires ſhall happen to be complied with or not.

M. *Kinski* replied, that the Emperor had always had a ſpecial Conſideration of every Thing that had come from his Majeſty, and that it will be ſo always, as for a *Great King*, and the *General Mediator*: That that appears plainly in the preſent Treatment of the Prince of *Furſtemburgh*, who has all the Liberty and Accommodation that can be thought neceſſary for his Health, and conſiſtent with the Reſtraint of a Perſon in his Caſe; appealing to me, and the Informations I may have had from Mr. *Skelton*, to verify this; then he enlarged upon the Offence the Emperor had taken, and that ſo juſtly, againſt that Prince.

The only Thing that M. *Stradtſman* interpoſed in this Conference was, he gave an Inſtance by Way of Parallel, putting the Caſe, that if his Majeſty our Maſter had laid the Hands of Juſtice upon a Vaſſal of his own, and then that a Neighbour Prince, having a Difference with him, did give out he would make no Accommodation, till that Vaſſal were ſet at Liberty according to his Fancy; and in the next Place, a third Prince ſhould offer a Temperament in the Caſe; whether the Prince that had laid hold of his Vaſſal, could with Honour accept of a Temperament, and let him go out of his Hands.

I told them, I had no Orders from his Majeſty, to enter in the leaſt into the Merits of that Prince's Cauſe; my Orders were only to repreſent how fatal any Rigour or Stiffneſs would be in this Conjuncture, the Emperor not yielding to a Temperament on the one Side, and the *French* ſticking upon it as a Preliminary on the other.

As to M. *Stradtſman*'s Parallel, I told them, I did not know but that it was put too much in the General, to take in all the Circumſtances of Prince *William*'s Caſe; nor would I take upon me to determine, how far the Privilege of an Ambaſſador may ſuſpend the Juſtice of a Soveraign over his Vaſſal, when that Vaſſal is Ambaſſador of another Prince not his Enemy; eſpecially where the Soveraign hath ſtipulated to that Vaſſal as Ambaſſador, the ſame Immunities that he hath ſtipulated to other Ambaſſadors; and where that is the Caſe, it would be a higher Queſtion yet, how far a third Prince, Party to the Stipulation, that had Ambaſſadors of his own upon the ſame Place, and under the ſame common Security, may come in and ſay, the Stipulation and the

Law

Law of Nations was violated, not only in him that ſuffered the Force, but in his own Ambaſſadors that ſuffered it not.

THAT which I deſired them to conſider was, what it was that the *French* did inſiſt on at this Time, it was for the Prince's abſolute Liberty; for what End they deſired it, it was to aſſert a Point of Honour they thought themſelves concerned in, and to vindicate the Law of Nations, as they pretend.

ON the other Side, what his Majeſty deſired; it was a Temperament only; that is, a Sequeſter; for what End he deſired it, it was to preſerve this Treaty, for the Peace of *Chriſtendom*, from falling to the Ground; and laſtly, whether the Point of Honour on the Emperor's Part, can be thought engaged in this Sequeſter, where the very Sequeſter ſuppoſes the Hand indifferent to both Parties, and yet accords the doing of any Thing that looks like a Deciſion, the Prince being anſwerable ſtill to the Emperor's Juſtice, if his Character do not excuſe him; and if it do, the Irregularities in the Proceedings againſt him, will be buried in the Oblivion of the General Peace; for we cannot imagine a Peace between the Emperor and *France* to be made, and yet this Prince excluded, ſince one Word in an Article will do his Buſineſs; that is to ſay, that all Perſons in Priſon, or elſe under Sequeſter, on either Side, ſhall be ſet at Liberty.

M. *Kinski* told me, that if the *French* did grow ſtiff in this Matter, they, on the *Imperial* Part, muſt not yield; and they were confident, there was nothing more to be done for that Prince, till the General Peace was made up; only they could not chooſe but obſerve to me, the Unſeaſonableneſs of the *French* ſtirring this Buſineſs at this Time; partly, for that it is an Evidence they have no Mind for the Peace, (for they charge them with the Delays in the *Lorain* Affair, and now that thoſe can be ſpun out no longer, they have brought this, they ſay, in the Rear of them) and partly, for that they have ſtirred it at this very Time, when they, the *Imperial* Ambaſſadors, are told, that his Majeſty, in his Anſwer to M. *de Burgomaniero*, is pleaſed to uſe it as an Argument that *France* wants not good Diſpoſition to a Peace at this Time, in that it leaves the Buſineſs of Prince *William*'s Liberty, to lie as it hath done, without further ſtirring it; but if the *French* ſhould now make a Buſineſs of it, they ſaid, they knew not how to help it, but muſt be content to leave this Place, if there be no good to be done for the Peace; the laſt Words M. *Kinski* delivered very calmly, but with an Emphaſis, as if he meant ſomething more than he ſpoke out.

THE Cloſe was, that they would repreſent this very faithfully to their Court, tho' they doubted not the ſame Thing would be more properly, and, as they hoped, more effectually repreſented by Mr. *Skelton*, his Majeſty's Miniſter there.

M. *Ducker* had ſome Days before deſired me to take an Occaſion to give theſe Ambaſſadors Part of his *Plenipouvoir*, and of his Paſſports, with the firſt Opportunity; I took this to do it, (the Indiſpoſition of the one, and the Abſence of the other, not ſuffering me to do it ſooner) but they excuſed themſelves from meddling with either; with the Powers they would not meddle, becauſe their Buſineſs and Inſtructions were to treat with the Enemies of the Emperor and the Empire, or elſe with the Allies of thoſe Enemies; they look'd upon the Biſhop as neither an Enemy, nor an Ally of an Enemy, (and had been lately aſſured he was no ſuch) and therefore had nothing to do with him.

I told them, the Biſhop, tho' neither an Enemy, nor an Ally of an Enemy, but a faithful Prince, as he deſired to be reputed, of the Empire, had divers Affairs of Importance to be negotiated in this Place; that he hoped to be reſtored to the good Graces of the Emperour, to his Voice and Seſſion in the Dyets of the Empire, and to the Eſtate and Dignity he held in it; and that he thought, if it could not be done ſooner, it was to be provided for in this Treaty of a general Peace, and therefore had ſent his Miniſter hither; and that Miniſter had Letters of ſafe-Conduct from the Emperor himſelf, and from five more of the principal Allies in this War.

THEIR Anſwer was, that thoſe Letters of ſafe-Conduct from the Emperor were no more, but what was neceſſary for M. *Ducker* in the Empire, otherwiſe *on le prendroit par le tête*; and for the Biſhop's being reſtored to what he is diveſted of by the *Imperial* Dyet, he muſt apply himſelf there, and ſet himſelf right if he can; there are his proper Judges; here is nothing to be done for him, or againſt him; and ſo they would not ſo much as look upon either M. *Ducker*'s Powers or Paſſports.

ON *Tueſday* Evening, M. *d'Olivenkrantz*, in a Viſit he gave me, fell of himſelf into a Diſcourſe of their Misfortune in the laſt Fight at Sea, and then of the State Affairs here, obſerving from ſeveral Circumſtances, how little likelihood there was, we ſhould come to a Peace this Winter, and yet how great a Need they had of it in *Sweden*, conſidering the Condition of Affairs: Then he ſet himſelf into ſeveral Particulars, and deſired in the Cloſe, I would repreſent them to his Majeſty, with as much Speed and Secrecy as I could poſſibly; but withal confeſſing what he had ſaid was much too long for me to charge my Memory withal, he deſired he might have the Liberty to communicate the ſame Points to me next Day, and then he would have Notes about him, and I ſhould take in Writing, for the more Certainty, what he had to ſay; which was done accordingly yeſterday Morning, but in Confiance, and with a perfect Reliance upon his Majeſty's Goodneſs and Friendſhip for the King of *Sweden*.

HE began with telling me, that what is now left them, the *Swedes*, in *Pomerania*, is in very great Danger to be all loſt; and if the few Towns they have there ſhould make ſhift to hold out this Campaign, yet that this is the utmoſt that can be expected, therefore they muſt ſecure them, by clapping up a Peace this Winter, or elſe their footing in *Germany* will be unavoidably loſt the next Year. That they have Reaſon to believe, from ſome Communications that paſs between them here, and the *Holland* Ambaſſadors, that *Spain* and the States General would procure them a Reſtitution in *Germany*, that ſhould be conſiderable, and to their Content, as their Affairs now ſtand, if *France* may be brought to make a like Reſtitution to *Spain*. That when this hath been repreſented to *France*, both at that Court, and to the *French* Ambaſſadors here, the *Swedes* had for ſome while but little Hopes given them, tho' they preſſed hard, that *France* would either aſſiſt them vigorouſly, as 'tis obliged to do, with Men and Ships; or elſe, which was the next Way to relieve them in the Difficulties they ſtruggle with, that *France* would come to reaſonable Terms with the ſeveral Allies for a general Peace.

HE ſhewed me a Treaty made by M. *Sparr* at *Paris* in *April* 1675; where 'tis provided, that if the Caſe do fall out, as now it is fallen out, (in that *Denmark* and the States General make War upon *Sweden*) that the Moſt Chriſtian King will, by himſelf and his Confederates,

derates, attack ſuch Prince or State as ſhould ſo make War upon *Sweden*, with the greateſt Force he ſhall be able, both by Land and Sea, and that according to the Greatneſs of the Danger that *Sweden* is in, ſhall require; and that he will not give over, till *Sweden* hath full Satisfaction made it; the Article is to this Effect, and a Tranſcript of it goes herewith inclos'd.

When the *French* are called upon to make good this Article, they anſwer, 'tis done fully on their Part, in that they make War both by Sea and Land, with the utmoſt of their Force, in *Flanders*, in the *Mediterranean*, and in the *Indies*, tho' they employ not one Man or Ship againſt thoſe that *Sweden* has upon their Hands in ſeveral Parts, —— This Interpretation, he therefore looks upon as too much ſtrained.

But now of late, they have ſome Hopes given them from the *French* Ambaſſadors, that ſomething will be done for them in the Treaty of Peace; telling them, they have in their Hands in *Sicily* and in *Lorain*, wherewith they may purchaſe a Reſtitution for *Sweden*; but 'tis obſerved, that their Diſcourſe is general, ſometimes they name one of thoſe Places, ſometimes another, at other Times *Limbourg* and *Maeſtricht*; but they do not ſet out for any one particular Thing, upon which they may faſten their Thoughts, and look upon it as a Thing reſolved.

Besides, theſe Ambaſſadors are not well agreed on the Manner, how this is to be brought about; one will have the Allies to be wrought upon, ſo as to bring them to advance this Propoſition of Exchange; another will have the whole Difference between *France* and *Spain* firſt adjuſted, and then the Intereſts of *Sweden* to be brought on the Board; for when *Spain* has its content, then the Emperor, the *Hollanders*, and *Spain* itſelf, will come in, and join their Offices (for it is their Intereſt that *Sweden* be reſtored).

The firſt Method, M. *d'Olivenkrantz* looks upon as impracticable; for the Allies, he thinks, will never be wrought upon to make a Propoſition of Demand of Exchange in Favour of *Sweden*; the other Method cannot be to the Advantage of *Sweden*, nor to the Content of *Spain*, unleſs the Concerns of the one and the other be ſettled at the ſame Time; for the only Hopes and *Reſſource* of *Spain* is, that *France* will, in Contemplation of *Sweden*, enlarge in its Reſtitution to *Spain*, the Equivalent on the one Side and on the other, being to be the Meaſure of what *Spain* and *Sweden* ſhall have reſtored them; and therefore the Pretenſions of thoſe two Crowns muſt be ſettled at one and the ſame Time, or elſe nothing will be done.

His great Hopes are, that the Propoſitions of all the Parties and their *dernier mot* will be depoſited 'ere long, if they be not already, with his Majeſty; and that he will, in his Royal Wiſdom and Equity, not only adjuſt all Intereſts at one and the ſame Time, but alſo have a ſpecial Care and Favour for *Sweden*; and he thinks there is a Neceſſity of keeping his Majeſty's Plan of Adjuſtment in what relates to *Spain* and *Sweden*, from coming to the Knowledge of *Denmark*, *Brandenburgh*, and *Lunenburgh*; for thoſe Princes will oppoſe it all that is poſſible, and will rather caſt themſelves into the contrary Intereſts, than endure *Sweden* to be reſtor'd.

That which troubles the *Swedes* very much is, that the *French* have heretofore made a Propoſition, that they would be content that the Houſe of *Lunenburgh* ſhould hold ſome Part of their Conqueſts in *Bremen*, and that there hath been ſome Overture from *France* to that Houſe, to give

give them a Guarranty of their Conqueſts, in Caſe it would ſuffer it ſelf to be taken off from the Allies: And it troubles them no leſs, that the *Danes* give out, (how truly M. *d'Olivenkrantz* knows not) that *France* does offer to give them the Guarranty of *Schoonen*; and that there are little Intrigues and Communications on Foot, particularly that the *Envoyé* that went from *Denmark* into *Spain*, now upon his Return through *France*, makes a long Halt at *Paris*, notwithſtanding he had been told, that he ſhould not be permitted to come back through *France*, in Caſe he did not procure the Paſſport of *Denmark* for *Lillirode*, a *Swediſh* Miniſter then in *Paris*, to return into *Sweden*; which he did not procure, as was ſtipulated: This has been obſerved to the Miniſters at *Paris*, but 'tis not heeded; *Lindenhoven* the *Daniſh* Miniſter ſticks there ſtill.

M. *d'Olivenkrantz* ſaid further, that tho' *France* be obliged to procure full Satisfaction to *Sweden*, which muſt imply certainly a recovering of what it hath loſt in this War; yet *Sweden* doth not pretend, that *France* ſhall part with any Thing, that it can hope to keep in its Hands, and withal make a Peace. He does ſuppoſe it muſt neceſſarily Part with ſome of its Conqueſts in *Flanders*, for the making of that *Barrier*, which not only *Holland*, but all Chriſtendom, (as he phras'd it) was concerned to have fixt; they muſt part with *Sicily*, elſe *England*, *Holland*, and *Italy*, will not be ſatisfied; they muſt reſtore *Lorain* too, or elſe he thinks there can be no Peace: Since therefore *France* will be neceſſitated, whenever the Peace is made, to let go moſt, or all theſe Things; (he named *Limburg* beſides) it is but juſt and reaſonable, that it ſhould demand an Equivalent of them, by Way of Reſtitution to *Sweden*. He cloſed all with ſaying, that the King his Maſter has the greateſt Confidence imaginable on his Majeſty's Care of him, and Regard towards him, in the great Difficulties he ſtruggles with at this Time; and he does both hope and believe firmly, that his Majeſty will be able to prevail with the Moſt Chriſtian King, to do that for the reſtoring of *Sweden*, which is ſuitable to his Treaties, to his Intereſts, and to the ancient Friendſhip between *France* and *Sweden*.

Yesterday in the Afternoon, M. *Oxenſtiern* gave me a Viſit, and having taken Notice to me of the Converſation he had underſtood that had between M. *d'Olivenkrantz* and me, he deſired with all Earneſtneſs the Particulars might, with all Speed and Secrecy, be humbly recommended to his Majeſty, for his Favour to them, and Care of them in this Conjuncture.

His Highneſs the Prince Elector *Palatine*, having done us the Honour to write us a Letter, which M. *Spanheim* delivered us the Beginning of laſt Month, we had deferr'd anſwering to it, in Expectation of his Highneſs's *Poſtulata*; which, by the Letter, ſhould have been delivered us at the ſame Time, but were not, upon ſome Difficulties that the *Imperial* Miniſters had upon them, they being ſince ſent to his Electoral Highneſs to *Vienna*; and it being uncertain when they ſhould be diſpatched there, and put to our Management here. M. *Spanheim* inſinuated to me, that an Anſwer would be ſeaſonable to his Electoral Highneſs upon another Point in his Letter; which was, that he thought, that the ſigning of his *Poſtulata* with his own Hand, was a ſufficient Mandat and Power to any Minſter here, to act and treat for him.

I take the Liberty, upon that Occaſion, to lay before his Electoral Highneſs, (as will appear by a Copy herewith incloſed) what the Uſage of this Place is, and how the other Princes, that have gone Ways not agreeing with this Uſage, have met with a Stop in their Buſineſs.

M.

M. *Spanheim* took Occaſion at the ſame Time to ſhew me an Original Letter, that the *Imperial* Ambaſſadors here had lately writ to his Highneſs, where the Stile in the Top is, *Sereniſſime Princeps Elector & Domine*; and in the Body all along, *Serenitas veſtra Electoralis*; whereto I thought fit for me (under Correction) to conform myſelf, having already ſeen how the three *Swediſh* Mediators at *Cologn*, and the Duke of *Savoy*, had uſed the very ſame Stile. I am, *&c.*

L. Jenkins.

Nimeguen, 23th July, 1677.

Right Honourable Sir,

SINCE my laſt, which was of the *19th*, I have not the Favour of any from you to acknowledge.

On *Saturday* Meſſieurs *Kinski*, *Heugh*, and *Van Haren*, took an Hour of me, in the Name of the Body of their Alliance; it was to deſire I would paſs my Offices with the *French* Ambaſſadors, ſo as to ask of them, whether, in caſe the *Lorain* Miniſter can be prevailed with to put in the ſame Propoſition that they, the *French*, have already ſeen, they were *En état d'y repondre categoriquement, quant à l'Eſſentiel de l'affaire & promptement auſſi ſans ulterieur Recours à leur Cour*; theſe were their very Words; adding withal, that they deſired my Diligence the more, in that the Delays brought upon this Affair would prove a Delay to the Buſineſs of the whole Alliance, and to the General Peace itſelf.

Yesterday I had an Hour given me by the *French* Ambaſſadors upon this Queſtion; they *firſt* enlarged themſelves very much upon it, as unuſual in its Kind, they having never pretended to any ſuch Stipulation from the Allies; they muſt be left to their Liberty to conſult together, and to anſwer as they ſhould ſee Cauſe, and as their Inſtructions ſhould lead them; that if the Allies made their not anſwering on the ſudden to the *Lorain* Propoſition, to be retarding of the Buſineſs of this Place, they, the *French*, muſt take Leave to conclude them, the Allies, to have been in Delay all this while, in that they have not hitherto given it in, in the Form it ſhould be in; but afterwards, conſidering that the Allies would probably deſire the Anſwer of me (as they did the laſt Time) in Writing, they contracted it into theſe few Words: — *Qu'ils ſont pretz de recevoir la Propoſition de* Lorain, *& ont Pouvoir d'y répondre dans le temps, & à la maniere qu'ils jugeront à propos* — This was all they deſired me to return as their Anſwer upon the Demand of the Allies.

Yesterday, immediately before I had this Audience of the *French*, the *Imperial* Ambaſſadors had been with me, to deſire me to move the *French* for a Paſſport for certain Deputies of the Chapter of *Strasburgh* to come to this Place, where they have ſeveral Rights and Intereſts to be taken Care of, partly as Adminiſtrators appointed by the Emperor and Empire of that Biſhoprick, upon M. *de Strasburgh*'s being diſabled, and partly, as being a Chapter, that have an Eſtate of their own, and relate to ſo conſiderable a Biſhoprick in the Empire. When I put this to the *French* Ambaſſadors, they would not hear of it upon any Terms; they knew of no Adminiſtrator of the Biſhoprick of *Strasburgh* but the Biſhop himſelf; all thoſe others that meddle with his Eſtate or Concerns there,

there, being ſuch as robb'd him, in their Judgment, againſt all Law and Juſtice.

I preſs'd them with Earneſtneſs to write of this Buſineſs to Court upon two Heads; the one was, that the Chapter, conſidered in itſelf, without Relation to the Adminiſtratorſhip, might have Concerns to look after in this Place, and being not engaged in any Hoſtility againſt any of the Parties, I thought was not to be denied a Paſſport, it being ſo conſiderable a Member of the Empire.

ANOTHER Thing was, that the denying of a Paſſport to this Chapter, would, in all Probability, beget the like Refuſal, upon the firſt Motions that ſhould be made in the Behalf of *France*, for Paſſports from the Emperor; which would bring both Parties upon an Inconvenience, that they have found it their Intereſt hitherto to gratifie one another in, in Contemplation of having it to paſs reciprocal.

TO the firſt they told me, that if the Chapter hath any need of a Paſſport in that Capacity, its regular Way is to move by the Biſhop, and then they may be heard, either at the Court where he is, or elſe by his Envoy here, if they have any Thing to move for in this Place. As for the other Point, that they might come on both Sides at laſt to the refuſing of all Paſſports; they expected, they ſaid, no other; it being the Deſign of ſome of the Confederates to break this Aſſembly, and to put us out of all Hopes and Poſſibilities of a Peace; ſo that, tho' I moved them again and again, I could not obtain any Promiſe from them that they would write.

IN this Audience with the *French*, they told me, they had two Things to deſire my Offices in towards the *Dutch* Ambaſſadors; the one was, to let them know, that whereas they had complained, in a Memorial we had given them in ſome Time ſince, that ſome of their Seamen were detained Priſoners, contrary to the Uſage between *France* and *Holland*, of letting go; that the Moſt Chriſtian King had cauſed that Uſage or Convention (tho' it be but a tacit one) to be very ſtrictly obſerved on his Part; and that all *Hollanders* that are Seamen, are let go as ſoon as they are taken by the *French*, unleſs they be the Lieutenants and Captains of *Corſair* Ships, which *France* does always keep in hold; but as for thoſe Seamen they complain of to have been made Priſoners in the *Indies*, they are not taken upon the Sea, but in a Fort at Land, and are treated in the ſame Manner as thoſe *French* were, that the *Dutch* had taken at *Cayana*; ſo that theſe Priſoners have no Pretence to be releaſed upon the general Uſage about Seamen.

ANOTHER Thing was, that M. *de Louvoy* had anſwer'd them, upon the Complaint that the *Dutch* Ambaſſadors had made ſome while ſince by us, that the Subjects of the States, that were made Priſoners at *Mont-Caſſell*, found very ill Treatment at *Abbeville*, as to their Subſiſtance, and alſo to their Religion; that the Moſt Chriſtian King knows this to be a pure Suppoſition; and beſides that, Priſoners in general are treated with all Humanity all *France* over, the Suggeſtion is ſo far from being true, that there are no Priſoners at all at *Abbeville*.

IN the Conference the *Imperialiſts* had with me laſt Night, about a Paſſport for the Deputies of the Chapter of *Strasburgh*, they brought upon the Board a Thing that I did not expect to hear any more of; they had very freſh Orders, they ſaid, from Court, to remind us here of the Defect they had heretofore obſerved in Mr. *Chudleigh*'s Commiſſion, as to the Emperor their Maſter's Stile and Titles; there had been withal a Copy ſent them from Court of an Inſtrument, wherein his Majeſty gives the Emperor the Title of *Invictiſſimus*, and they deſired

ſired me to take Notice (giving me the Copy in my Hand), that it was not an Inſtrument addreſſed from his Majeſty to the Emperor himſelf, but that the Emperor came to be named in it *incidently*, and in the Concern of a third Perſon; they obſerved further, that it was under the Great Seal, and that it was of a very late Date, in 1673, which they rather made Uſe of, tho' they had Store of others, as M. *Kinski* ſaid, of very ancient Date.

I told them, having caſt my Eye upon it, that I had not obſerved Inſtruments under the Great Seal to be counterſign'd as that was, *ad mandatum Ser^mi. D^ni. Regis*; having never obſerved that in the Stile of the Great Chancery, though I confeſſed I could not pretend to much of Obſervation, being not well verſed in it.

One Thing I hoped, I told them, which was, that Count *Wallenſtein* had had, ſince his coming into *England*, ſuch particular Satisfaction in the Point of our Stile, that we ſhould have heard of that no more; ſince the very Titles and Epithets he laid Claim to for the Emperor, had been agreed to, and fixt between him and one of the Secretaries of State.

To this M. *Kinski* anſwered, that it was true he had had Letters from Count *Wallenſtein*, which ſpoke him very well ſatisfied in that Point; but he named no Particular, nor did I enter into any, nor ſo much as mention the Word *Potentiſſimus*, hoping that, notwithſtanding this Inſtrument now trump'd up, the Buſineſs will fall of itſelf, ſince they did not move to have Mr. *Chudleigh*'s Commiſſion renewed, nor ſaid any more, but that they had Orders to remind us of their Claim, and gave in this Inſtrument *de melius eſſe*, as Count *Kinski* worded it: The Copy of the Inſtrument goes along: I humbly deſire your Directions upon it, in caſe it ſhould come to be ſtirred again. I mentioned to them, upon their pointing out to me the Word *Majori Sigillo*, that the Stile was new to me, and that I thought it might be his Majeſty's Privy Seal, and not the Great Seal of *England*.

L. Jenkins.

Nimeguen, 26th July, 1677.

Right Honourable Sir,

My laſt was of the 23*d*, ſince which I have the Favour of yours of the 17*th* Current to acknowledge, and therein an Extract out of the Moſt Chriſtian King's Letter to M. *Courtin*, touching the Affair of *Lorain*: This Favour I humbly thank you for, and I ſhall be ſure to manage it as you are pleaſed to intimate.

All that is new here in that Matter is, that I having given an Account to the Aſſembly of the Allies on *Monday* Evening, after the Poſt was gone, of the Anſwer the *French* Ambaſſadors had made me, Meſſieurs *Kinski* and *Heugh* came to my Houſe upon their breaking up, and brought me the *Lorain* Propoſition in Form, ſigned by that Miniſter, with a Deſire I ſhould deliver it to the *French*, and tell them, that ſince they had by their laſt Anſwer declared, — *Qu'ils avoient Pouvoir d'y répondre dans le temps, & à la maniere qu'ils jugeroient à propos*; — they, the Allies, hoped, that the Time and the Manner that they would obſerve in anſwering the Propoſition now given in to them, would be ſuch as might conduce to the advancing, and not to the delaying of the Peace; that the Propoſition was now ſuch, as did not carry any Nullity in it; and that they referred themſelves to the Meſſages and Demands I had carried from them to the *French* Ambaſſadors.

To this the *French* Ambaſſadors anſwered no more, (on *Tueſday* that I brought the Propoſition to them) *but that they did accept of the Propoſition, and would examine it*; this Reply will go near to fret the Allies very much, eſpecially if when they come to ſee the Anſwer of the *French* upon the Propoſition, (which M. *d'Eſtrades* whiſpered me in the Ear ſome Days ago, will be here in eleven Days) they do not find it categorical.

I minded the *French* Ambaſſadors, in this Conference I had with them, of the *Dutch* Fiſhermen that had been brought up to *Dunkirk*, contrary to the mutual *Placarts* between *France* and *Holland* for the Liberty of Fiſhing: M. *de Haren* having pray'd me to do it, as a Buſineſs of more Conſequence than thoſe in the two Memorials I had moved the *French* upon, and whereof I gave you an Account in my laſt: The Anſwer was, that when thoſe Fiſhing Boats were brought into Port, and the Depoſitions ſent to *Paris*, the Ships ſhould be reſtored, in caſe they had ſet out after the Date of the *French Placart*, and not before.

On *Tueſday* in the Afternoon, all the Miniſters here were very much alarm'd, and myſelf as much as any, with the *Imperial* Ambaſſadors viſiting the *Spaniſh* Ambaſſadors in Ceremony with three Coaches and ſix Horſes, and theſe laſt returning their Viſits to the *Imperialiſts* within two Hours after (at five), with three Coaches and ſix Horſes apiece, at M. *Kinski*'s Houſe; there having been no Notifications given to any Miniſter in Town, nor the new *Spaniſh Plenipouvoirs* ſo much as communicated, or depoſited in my Hands.

My Orders in ſuch Caſes being to have Recourſe to the *French* and *Swedes*, I found only M. *d'Avaux* and M. *d'Olivenkrantz* at Home; but the *Daniſh* Ambaſſador, tho' in this Alliance with *Spain*, came to my Houſe in very great Concern, and deſired he might know what Reſolutions I took; ſaying, if I reſolved to receive no Notification, nor to make any Viſit to the *Spaniards*, he would be ſure to do the like.

The *French* Ambaſſadors being got together, when it was now near 9 at Night, firſt deliberated among themſelves, and then came over all three to my Houſe; I being gone in the mean while to ſeek them; we met at laſt at M. *Colbert*'s. They began with telling me, they knew I muſt needs be concerned in this Incident; that they would not take upon them to adviſe what I had to do, only they deſired (the Thing touching them as near as it did me) that we ſhould communicate our Thoughts together, before we came to a Reſolution what to do: M. *d'Eſtrades* repeated often, their Intereſt was the ſame with mine; for tho' they do not diſpute the firſt Reſpects with the *Imperial* Miniſters, yet they are concerned that the *Imperialiſts* gain no Advantage of his Majeſty's Mediation; for his Mediation having had the firſt Reſpect given it by the Conſent of all Crowned Heads, if the *Imperialiſts* ſhould have the firſt Notification before me, the Conſequence would be, that the Emperor is a Prince of a *higher Rank* than the other Kings, which *France* will never grant, but oppoſe it to their utmoſt; and therefore they were bound to watch this Thing.

They were all clear of Opinion, that if what had paſſed that Day between the *Imperialiſts* and *Spaniards*, was a Viſit made upon the Nearneſs of Blood and Parentage between their Maſters, it could have no Conſequence here, the ſame having been done at *Munſter*, and neither the Nuncio there, nor the *French*, reſenting it.

But then they were of Opinion, that Enquiry ſhould be made how the *Spaniards* underſtand the Thing; and they judged it to be the beſt Courſe,

Courſe, that I ſhould go forthwith, and ſpeak with *Don P. Ronquillo*, and enter into an *Eclairciſſement* with him upon the whole Matter; in caſe, they ſaid, *Don Pedro* ſhould ſay, it was a Viſit in Regard of the Nearneſs of Blood between the Emperor and the King of *Spain*, they thought we might receive Notifications, and go on in our Viſits, and not trouble ourſelves further with a Thing that was *hors de rang*, and therefore muſt be *ſans conſequence*, and touch'd not us, it being one of the *Privautes* that are among themſelves.

In this Caſe they thought it ſafeſt for me to get ſomething in Writing under *Don Pedro*'s Hand, by Way of Letter to me, or otherwiſe; but if it could not be gotten, rather than break, that I ſhould content myſelf with his Declaration by Word of Mouth, and make our Complement and Viſit as we ſhould be notified; but in caſe he ſhould pretend to ſay, that they did it in Conſideration of the *Imperial* Dignity, and that the next Regard ſhould be had to his Majeſty's Mediation, they were of Opinion I ſhould make no Viſit, no more would they.

Hereupon I went ſtrait to *Don Pedro*'s, ſpeaking with the Ambaſſador of *Denmark* by the Way, who approved fully of this Reſolution. *Don Pedro*, when I had open'd to him what I had to ſay, told me, that what had paſſed between them and the *Imperialiſts*, ought not to ſurprize me at all, it being an Uſage long ſince received between the two Branches of the ſame Houſe of *Auſtria:* That he could not imagine it would be interpreted any Prejudice to his Majeſty's Mediation, or to his Rank as Mediator, the ſame Thing having been done at *Munſter*, without any Contradiction of the Nuncio there, who was Mediator, or of the *French* Ambaſſadors, who acquieſced in it; notwithſtanding the *Spaniards* were notified by the *Imperialiſts*, and paid their Viſit, and likewiſe received the Reviſit from the *Imperialiſts*, before the *French*; he told me, he ſhould be able to give me an authentick Inſtrument of what had paſſed at *Munſter*, and he hoped, that notwithſtanding my Collegues and myſelf here have always profeſs'd, as I did in this Converſation very expreſly, and often repeat to him to have no Commerce with the Nuncio that is now upon the Place, but to go on in our Function, and to do our Duty with as little of Regard to the Rank, Character, or Buſineſs, that he pretends to here, as if there were no ſuch Man in the World; yet he thought it would be allowed to them to make an Argument, which he hoped would ſatisfie us, from their Conduct towards the Nuncio here; his Argument was thus; that not only the Emperor and his Maſter, but the Moſt Chriſtian King (now in Hoſtility with them) likewiſe, are perfectly agreed, that the firſt Reſpect in all ſuch Caſes is due to the Pope's Nuncio, abſolutely and inconteſtably before any *Imperial* Ambaſſador: He hoped that the Ceremony of that Day being paſſed between the two Houſes, without any Notification to the Nuncio, and conſequently as much really to his Prejudice, as we can pretend it to be to ours, if he ſhould acquieſce, as they doubted not he would, being acquainted with the Ways in the Houſe of *Auſtria*, there would be no Place left for any other to complain.

The Matter as it paſſed at *Munſter* he repreſented thus: That in the Month of *November* 1645, Count *Trautmanſdorffe* being *Cheif* of the *Imperial* Embaſſy, arrived at *Munſter*, the Count *de Peneranda*, and the other Ambaſſadors of *Spain* that were there, went and viſited him before they did any other. After he had received this Viſit, he gave Notice of his Arrival to all the other Publick Miniſters, and thereupon re-

received the Viſits, firſt of the Nuncio, and then of the *French* Ambaſſadors, and then of the reſt.

THESE Viſits being thus over, Count *Trautmanſdorffe*, in the Beginning of *December*, and before he had taken any Time from any of thoſe that had viſited him, to render them their Viſits, went and gave his Re-viſit to the *Spaniards*, declaring this had been done *jure familiaritatis* between him and the *Spaniards*, as being both Miniſters to Princes of the ſame Houſe. When he had thus done his Re-viſit to the *Spaniards*, he went and paid his Re-viſit to the Nuncio, and then to the *French*, and ſo to the reſt; nor was there any Embarraſs that happened in or upon this Conduct of *Trautmanſdorffe* and the *Spaniards*. Beſides, *Don Pedro* obſerved to me, that this had paſſed between them, before any Communication of their *Plenipouvoir* to me; and that they had not only received the Civilities of the *Imperialiſts*, but rendred it them, before I, or any other of the Parties, had any legal Notification of their being Ambaſſadors; which was not to be done, after the Oppoſition made againſt the *Spaniards* upon their being no more but Plenipotentiaries, but by giving in their Powers.

FINDING *Don Pedro Ronquillo*'s Diſcourſe to run upon this Key; and that he had expreſſed himſelf ſo as the *French* Ambaſſadors hoped and wiſh'd he might, the next Thing was, to get from him ſomething in Writing; in Order whereto, I let him know, how preciſe my Orders were, to ſtand upon having the firſt Notification, and before the *Imperialiſts*; and that if the Interviews between the two Embaſſies were to be taken for Viſits of Ceremony, I was neceſſarily to break off, and deſiring him to judge the Conſequences that it would have at this Time; and that I ſhould never be able to excuſe the doing otherwiſe to the King my Maſter, unleſs I had wherewithal to ſhew in Writing, that theſe Interviews are otherwiſe to be taken and underſtood than what paſſes between Ambaſſadors *within the Order*, and according to the Forms received in Viſits of Ceremony.

IN this he was very difficult, but at laſt reſolved to ſpeak with his Collegues, and in Caſe they ſhould give Way to it, he was willing to give me ſomething to the Effect aboveſaid, in a Letter directed to me, if I ſhould write him a *Billet*, as he term'd it, to ask an *E'claircisſement* in this Point. Whether he ſhould be at Liberty to do this or no, I ſhould underſtand by his Secretary, that he would ſend to me; and if ſo, I was to write him a Letter, as I did, the Copy whereof I take leave to encloſe, as alſo *Don P. Ronquillo*'s Anſwer to it, which you'll find to be to the ſame Effect of what is above.

IT being one a Clock in the Morning before I received it, I could not communicate it to the *French* Ambaſſadors, till about eight on yeſterday Morning that they were ſtirring; they having ſeen the Letter ſeverally, and conſidered of it jointly, they told me, they took it to be a ſufficient Declaration, that what had paſſed between the two Embaſſies was of no Conſequence to us, and that for their Parts, they were reſolved to receive the Notification of the *Spaniards*, and to go on in the Ceremony.

THIS Letter being likewiſe communicated to the *Daniſh* Ambaſſador, he was of the ſame Opinion, and ſent me the Complement he intended to make them, by his Gentlemen, upon the Notification, to ask, as he was pleaſed to ſay, my Opinion upon it.

Don Pedro had promiſed me over Night an authentick Inſtrument of what *Trautmanſdorffe* had done at *Munſter*, and it ſtuck with me till I had ſeen that, ſince the main Streſs in *Don Pedro*'s Letter was merely

merely relative to that Inſtrument, as containing the Practice at *Munſter*, which was neceſſary for me to ſee, in Order to compare the Circumſtances in that Precedent and this Fact: At laſt, the Secretary of the *Spaniſh* Embaſſy brought it (who ſeems to be a Perſon of Quality, and a Knight of St. *Jago*) under his Hand and Seal; and the *French* Ambaſſadors had in the mean while got a View of what was in the Nuncio's Regiſtry, touching the ſame Fact, ſo much to the ſame Effect, that the *Spaniſh* is, to my thinking, but a Tranſlation of the *Italian*; the Copies of both the *Spaniſh* and the *Italian* Inſtruments go herewith encloſed.

HAVING peruſed both theſe Inſtruments, the *French* Ambaſſadors and I thought the Caſe was ſtronger with us here, than it was with the Mediators and *French* at *Munſter*; for at *Munſter*, there was Part of an *Imperial* Embaſſy, that had received its Viſits, (Count *Trautmanſdorffe* being only the laſt Comer) here was no *Spaniſh* Embaſſy viſible, ſtrictly ſpeaking, till the Day after that the *Plenipouvoirs* were put into my Hands; beſides, at *Munſter*, while the Re-viſit was owing to the Mediator and the *French*, *Trautmanſdorffe* re-viſited the *Spaniards*, which he could not have done, unleſs the Re-viſit were to be taken *ſans Conſequence*. Here was no Re-viſit owing or Ceremony depending, all was abſolved in two Hours Time, and that before any Notice of the *Spaniards* being Ambaſſadors, nor Notification to any Party; for as to Notification, or any Thing elſe, that paſſed between the *Spaniards* and the *Imperialiſts*, no Body here knows any Thing of it, nor can ſay any Thing, but that there was before their Doors ſuch a Number of Coaches and Attendants at ſuch Hours on *Tueſday*.

UPON this whole Matter, ſeeing the Judgment of the four Ambaſſadors above-mentioned to be clear, that what paſſed between the *Spaniards* and *Imperialiſts* was no Viſit in Form, nor within its Order, nor of Conſequence to any other Miniſters; and ſince they thought, the Precedent of *Munſter* fully applicable to the preſent Caſe; and ſince there was no Knowledge of what paſs'd between the *Spaniards* and *Imperialiſts*, but what we have from *Don P. Ronquillo* himſelf; and ſince the Nuncio, who, in his Way, pretends the ſame Thing I do, acquieſced in what paſs'd between the *Spaniards* and *Imperialiſts*, without taking notice of him, I thought it moſt agreeable to my Duty to joyn with them, and to reſolve to receive the Notification, and to perform my Complements and my Viſit.

I had the greateſt Anxiety poſſible in this Buſineſs, and have ſtill, leaſt what I have done, may not be agreeable to his Majeſty's Pleaſure. The fundamental Thing that I looked upon was, my Orders, which are to be notified and viſited before the *Imperialiſts*: If what has paſſed between the two Branches, be neither Notification nor Viſit of Conſequence to others beſides themſelves, I hope I have done my Duty, in not turning the Letter of his Majeſty's Orders againſt his meaning, which I am ſure, is not to bring an *Accrochement*, as the refuſing of my Complement and Viſit would have done upon his mediating with, and for ſo conſiderable a Party in the War as *Spain* is.

WHAT the *Spaniſh* Ambaſſadors have done in this Interview beforehand with the *Imperialiſts*, has been without doubt in Order to avoid Embarraſs with me; and I did not think it neceſſary for me to run into the other Extream, to enter unavoidably into Embarraſs with them; I thought, that in going the high and the plain Way, I ſhould not loſe Ground; for when 'tis loſt in Point of Ceremony, thoſe loſe it that have Recourſe to Temperaments and Shifts, as you ſee there was none

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on my Part: But if I be ſo unfortunate, as not to have underſtood, as I ought, his Majeſty's Meaning and my Duty, I do confeſs the Thing to be unexpiable, and that no Clemency, unleſs it be that of his Majeſties, can reach it, which I do moſt humbly implore, and yet ſubmit perfectly to what his Majeſty ſhall pleaſe to determine of it.

NOR is this all, for ſuppoſing this to be no Precipice, I was upon the Brink of another, which yet (I thank GOD) I have happily eſcaped. It was ten a Clock yeſterday before the *Spaniſh* Secretary brought me the *Plenipouvoir*, but told me, he did not notify me to make my Complement; there would be Gentlemen that would come to complement me on Purpoſe, in Order to the Viſits of Ceremony. This he told me over and over, for I was a little anxious in that Point, that is, to ſend aſſoon as I was complemented. The Gentleman came not in an Hour afterwards. I immediately diſpatch'd three Gentlemen, to return my Complement, and to take an Hour for my Viſit. The Ambaſſadors gave me that of ſix laſt Night, which I wondering at, as being ſo late; but I found, upon Enquiry, that the *French* had ſent before, and that the Hour of five had been given them.

THE *Daniſh* Ambaſſador ſent after I had, and the *Spaniards* were ſo plain as to tell his Secretary, that they had given the Hour of five to the *French*, of ſix to me, and gave ſeven his Maſter; M. *Heugh* was alarm'd at this, and very friendly and generouſly (as I ought to acknowledge) came and told me of it; and then finding, that I did not think it ſafe for me, either to endeavour the anticipating of the Hour, or to refuſe to go at the Hour I had taken, becauſe I might thereby loſe both my Viſit and my Pretenſions to the firſt Re-viſit, which, I told him, I would ſtand upon, even before the *French*; but that I reſolved to ſtay my Hour, and then perform my Viſit: He very friendly offered of himſelf to go and have ſome *Eclairciſſement* from *Don P. Ronquillo*, and to let him know, the Reſentment I had of it. *Don Pedro* told him, that 'twas true, the *French* had five, and I had ſix; but that the *French* had ſent firſt, and that before they were notified by any Meſſage or Gentleman from the *Spaniards*, that the *French* demanding an Hour, they knew not how to refuſe it them, but that their Reſolution was, to give me the firſt Re-viſit before the *French* notwithſtanding. This M. *Heugh* brought me Word of, and told me, I might rely upon it; M. *Heugh* affirming, he had all the Aſſurance poſſible from him it would be ſo; telling me — *Je vous en ſeray le Garand.* I thought my ſelf to be pretty well, thank'd M. *Heugh* for his Pains, and reſolved to ſtay my Hour.

THE Nuncio's Auditor came to the *French* Ambaſſadors, as they told me this Morning, at half an Hour after three; and told them, the Nuncio had now done his Viſit, and his Devotion too, at M. *de los Balbaſes* (for it was St. *James*'s Day, and there was no more than ordinary Solemnity there) and that now they, the *French*, might go and perform their Viſit. The *French* told him, that they could not go, till I had perform'd my Viſit, and were return'd, and therefore had ſet ſome to watch my moving: The Auditor told them, the Hour appointed me was after theirs at ſix, and would needs have perſwaded them, as they ſay, to perform their Viſit before me, it being reſolved, that the *Spaniards* ſhould return me the firſt Re-viſit, notwithſtanding that the *French* had viſited them before me.

IN this M. *d'Eſtrades* and M. *d'Avaux* do complain, there was ſome *fineſſe Italienne*, and do as much as confeſs, he has done good Offices, in Order to give them, the *French*, the Start of the *Dane* and the *Swede*; and,

and, if I conjecture not amiſs, this Auditor, to overdo it, contrived it ſo, that they might have the Start of me too, if they pleaſed. But the *French* Ambaſſadors told him, they would not by any Means make that Step; for, ſaid they, the *Spaniards* will get great Advantage of us, they will ſhew they know the Reſpect due to the Mediator better than we do, for they will render him the firſt Re-viſit, notwithſtanding he viſited after us; and we ſhall be thought to have not underſtood the Reſpect due to him, in ſnapping up a Viſit before him *en la Coupant*, that was their Word: Thereupon the *French* Ambaſſadors immediately ſent a Gentleman, M. *L'Abbe de Menil*, to me, to deſire to know, what the Hour appointed to me was; and to tell me, that they were reſolved not to ſee the *Spaniards* till I had done. They ſent me M. *Tambonneau* again upon the ſame Errand; in the mean time they had prevailed with the Auditor to go to the *Spaniſh* Ambaſſadors, to tell them plainly, (as all the three *French* Ambaſſadors told me this Day) they could not viſit them till my Viſit was over. Thereupon a Gentleman came to me from the *Spaniſh* Ambaſſadors, to deſire me to advance my Hour; that they were ready to receive me; and that it would be a great Favour if I could come at 5 a Clock, becauſe it would prevent an Embarraſs, that otherwiſe might follow. There went another Gentleman from them to the *French*, to deſire that they would reſpite their Viſit till 6 a Clock, which was my Hour at the firſt; and all this while that I was going and coming, and performing my Viſit, the Coaches and the Train of the *French* Ambaſſadors ſtood ready in the Streets. I performed mine at 5, the *French* at 6, the *Dane* at 7, and all was at M. *Balbaſes* Houſe, where his Collegues were preſent, and received their Viſits.

Upon this ſecond Incident, there is this that I hope will be ſatisfactory to his Majeſty, that the Rank of the Mediator is eſtabliſhed with *Eclat*, by what the *Spaniards* have declared to M. *Heugh*, that the firſt Re-viſit was due to him, notwithſtanding he viſited not firſt; and much more eminently by the *French*, being as they were upon the Wing, and yet refuſing to perform their Viſit before the Mediator, tho' they had a ſooner Hour given them.

L. Jenkins.

A M. l'Ambaſſadeur *Don P. Ronquillo.*

$\frac{24\ \text{Iuillet}}{3\ \text{Aouſt}}$ 1677.

Monsieur,

AYANT appris par la voix commune, que vôtre Excellence & Meſſieurs ſes Collegues ont receu & rendu cette apres dinée des viſites ſolemnelles, & ne ſçachant pas concilier ce que vos Excellences ont fait avec les formes receües dans cette Aſſemblée, à l'obſervation des quelles le Roy mon Maître eſt d'autant plus intereſſé, que les Ambaſſadeurs & Miniſtres de tous les Roys & Princes en cette guerre ont deferé ce primier reſpect aux Miniſtres de ſa Majeſté, comme Mediateur receu de toutes les Parties. Je ſupplie vôtre Excellence de me faire l'honneur de m'ecrire un petit mot d'éclairciſſement de ſa part, & de celle de Meſſieurs ſes Collegues, afin que je puiſſe voir d'autant plus clairement, & faire ce qui ſera de mon devoir, tant envers le Roy mon Maître, qu'envers vôtre Excellence & Meſſieurs ſes Collegues. Je ſuis avec verité & avec paſſion, Monsieur, *&c.*

L. Jenkins.

Reſponſe

Reſponſe de M. *Don P. Ronquillo.*

3 *Aouſt*, 1677.

MONSIEUR,

J'AY receu le billet de vôtre Excellence, par lequel il luy plaît me demander quelque éclairciſſement, au ſujet de la viſite que nous avons receüe & rendüe cette apres dinée, diſant que les Ambaſſadeurs & Miniſtres de tous les Rois & Princes auroient deferé ce primier reſpect aux Miniſtres de ſa Majeſté Britannique, comme Mediateur receu de toutes les Parties; & pour réponſe je puis dire à vôtre Excellence, que ce que le Corps de nôtre Ambaſſade a fait, en recevant & rendant la viſite à Meſſieurs les Ambaſſadeurs de ſa Majeſté Imperiale, n'eſt qu'une continuation de ce qui ſe pratique reciproquement entre les Miniſtres des deux branches de la Tres-Auguſte Maiſon d'Autriche, ſi étroitement unies par le parentage, comme vôtre Excellence le ſçait, Nous en avons eu des exemples dans le dernier Traité de Munſter, particulierment dans ce qui s'eſt paſſé entre Meſſieurs le Comte de *Penneranda*, & le Comte de *Trautmanstorf*, dont s'il plaît à V. E. de voir un inſtrument authentique, je le luy pourray fournir par le Secretaire de l'Ambaſſade. Je ſupplie V. Ex. d'eſtre perſuadée, que nous ne croyons nullement avoir manqué à ce qui eſt deu à Meſſieurs les Miniſtres de ſa Majeſté Britannique comme Mediateur, puiſque nous en avons agi également avec Monſieur le Nonce du Pape, qui précede les Imperiaux, ſans qu'ils en aient temoigné aucun reſſentiment, J'eſpere avoir ſuffiſamment éclaircy vôtre Excell. & qu'elle le ſera ſatisfaite pour ce qui peut toucher le reſpect que nous avons pour ſa Majeſté Britannique, & qu'elle Croira que je ſuis veritablement, MONSIEUR, *&c.*

Don P. Ronquillo.

Don Francois D'Urbina, Chevalier de l'ordre de Saint *Jacques*, du Conſeil de ſa Majeſte Catholique, & ſon Secretaire de ſon Ambaſſade dans cette Aſſemblee de *Nimegue*.

à Nimegue le 4 *d' Aouſt*, 1677.

JE certifie, que des papiers de la dite Ambaſſade, que j'ay à ma Charge, il Conſte, que dans le Mois de *Novembre* de l'an Mil ſix cens quarante cinq, le Comte de *Trautmanstorf*, Chef de l'Ambaſſade Imperiale aux Traités de la Paix Generale, qui ſe firent dans l'Aſſemblée de *Munſter*, y arriva, & que les Miniſtres *d' Eſpagne* qui y furent, le viſiterent publiquement avant aucun autre, & qu'aprés cette viſite S. E. ayant fait part de ſon arrivée à tous les Miniſtres repreſentans, elle receut la viſite de Monſieur le Nonce Apoſtolique, & de Meſſieurs les Ambaſſadeurs de *France*, & de tous les autres, & qu'enſuite au Commencement du Mois de *Decembre*, ayant que d'avoir accorde avec aucun Miniſtre public le temps pour leur rendre ſes viſites, il la rendit à ceux *d' Eſpagne*, declarant de la faire comme à des Miniſtres d'une même maiſon, & qu'enſuite il rendit viſite à Monſieur le Nonce, & aux autres Ambaſſadeurs,

deurs, ſans recontrer aucun empêchement ou difficulté. Sur quoy je donne le preſent Certificat, ſigné de ma main, & ſeellé du cachet de mes armes.

L. Sig. *Don François D'Urbina.*

Nimeguen, 30th July, 1677.

Right Honourable SIR,

MY laſt was of the *26th*, ſince which I have not the Favour of any from you to acknowledge.

IN that Diſpatch, I gave you an Account (the exacteſt I could) how the Viſits of Ceremony had paſſed between the *Spaniſh* Ambaſſadors and myſelf, as alſo between the *French* and the *Dane*, together with the ſeveral Deliberations and *Eclairciſſements* we had had touching that Matter.

THE *Brandenburghers* viſited them on *Thurſday* at 10 in the Morning, but the *Swedes* and the *Dutch* have not yet performed thoſe Civilities. M. *Oxenſtiern* was gone out of Town that Morning, when the *Spaniſh* Gentlemen came to his Houſe, in order to notifie him, and is ſo ſtill, unleſs he came Home late laſt Night. M. *d'Olivenkrantz* returned the Complement to the *Spaniſh* Ambaſſadors, with an Intimation, that he hoped there had been no Partiality or Inequality, in notifying the *French* and *Dane* ſooner than him; and if ſo, deſired to reſpite his Viſit till his Collegue were returned, which would be in 4 or 5 Days.

HE was with me on *Thurſday* and *Friday*, to complain of their being unfairly notified, and thought that when his Collegue came Home, they muſt be forced to come to ſome *Eclairciſſement* with the *Spaniards*, before they do viſit them: His Complaint was, *1ſt*, That the *Spaniards* had depoſited their new Powers to treat with *France* in my Hands, before the Notification was made, (that the *French* might thereby have an Evidence of their being *Ambaſſadors*, and not bare *Plenipotentiaries*) but that there was no ſuch Thing done, and no Powers yet given in, in relation to *Sweden*. The *2d* Thing was, that the Gentlemen that came to the *French* to notifie them, came a quarter of an Hour ſooner to M. *Colbert*'s, (for they two are one overagainſt the other) than thoſe that were ſent to notifie him M. *d'Olivenkrantz*.

BOTH theſe Objections may (if I miſtake not) meet with a fair Anſwer: As to the firſt, I do not take the Caſe of the *Swedes* to be the ſame with that of the *French*; for the *French* having above three Months ago procured their new Powers, and put them into our Hands, they had Right to be ſatisfied with ſome Knowledge of the *Spaniſh Plenipouvoirs*, before they viſited the *Spaniards* as Ambaſſadors. But the *Swedes* cannot demand that, partly in Regard their own new Powers to treat with *Spain* are not (that we know of) yet come to Hand; and partly, for that it is not yet agreed between the *Swedes* and *Spaniards* (as it is between the *Spaniards* and the *French*) in what Language theſe Powers ſhall be.

TO the other Point, if it do appear (as I ſuppoſe it may) that Gentlemen were diſpatch'd to M. *Oxenſtiern*'s, to notifie him at the ſame Time as others were diſpatch'd to M. *d'Eſtrades*, there is an equal Regard obſerved towards the ſeveral Embaſſies, tho' there happens to be an unequal Diſtance between the Houſes of the ſecond Ambaſſadors reſpectively, and thoſe of the firſt, in Reſpect of M. *de los Balbaſes*, whence the Notifiers ſet out. Yet theſe Complaints he would needs

have depoſited with me, by way of Advance, that it may appear that he has loſt no Time, in caſe his Collegue and he ſhould think fit to make a Buſineſs of it.

THE *Dutch* Ambaſſadors have not yet performed their Viſits, becauſe, as ſome ſay, the *Brandenburghers* were notified, at leaſt had the Start before them: The Excuſe that M. *Beverning* made was, that his Collegue was gone out of Town for *Friezland* that *Wedneſday* Morning, he being returned from *Holland* but late over Night; and therefore deſired their Viſit of Ceremony might be reſpited till M. *de Haren*'s Return. In the Converſation that I had with him, M. *Beverning*, on *Saturday*, wherein he was pleaſed to congratulate very much the avoiding of the *Accrochement* that would have riſen, had the *Spaniards* viſited the *Imperialiſts* before me; he did not ſpeak any Reſentment of unfair Proceedings in the *Spaniards*, as to what related to them, the *Dutch* Ambaſſadors, but only that he deferred his Viſit till his Collegue came Home.

ON *Friday*, at 11 in the Morning, (the Hour that had been taken of me) the *Spaniſh* Ambaſſadors gave me the Reviſit; at 3 they reviſited the *French*; the *Dane* at 4; the *Brandenburghers* at 5, the ſame Afternoon; going from one Houſe to another in that Order, without returning Home to ſet out from their own Houſe for each of theſe Viſits; they had done ſo in the Morning, for they were at the Nuncio's at 10, and came ſtrait from his Houſe to mine; they had 8 Coaches with Gentlemen in them, that followed one the other, the three Ambaſſadors were in a *9th*, and there was a *10th*, the richeſt of all, which followed the Ambaſſadors, and in it the Dukes of *San Pietro* and *Seſta*.

IN the Complement, M. *de los Balbaſes* declared much of a Reliance that the King his Maſter had, upon his Majeſty's great Equity and great Friendſhip; the Effects whereof he hopes to find, in giving him a good and a ſafe Peace; and he gloried very much to have had the Honour to wait upon his Majeſty at the *Pyrenees*; ſpeaking of the Reſpect that *Don Louis de Haro*, and all that Court, had ſpecial Orders from the King of *Spain* to pay his Majeſty there.

ON *Saturday*, M. *d'Avaux* gave me a Tranſcript of M. *de los Balbaſes* his Letter to the Nuncio, in Order to ſatisfie him that what had paſſed between them, the *Spaniards* and the *Imperialiſts*, was to be of no Prejudice or Conſequence to his Rank and Character. The Copy of the Letter I take Leave to incloſe herewith. M. *d'Avaux* his Opinion was, that the *Eclairciſſement* I had from *Don Pedro*, is fuller than this of M. *de los Balbaſes*: He took Occaſion in this Converſation, to diſcourſe over what they, the *French* Ambaſſadors, the *Dane*, and I, had reſolved and done, and concluded that they had an Intereſt equal to mine in this Queſtion, to maintain ſtiffly that the Emperor is of one and the ſame Order with other Crowned Heads, and to watch that he have no Manner of Advantage of them, but a bare Priority or Precedency in Rank.

ANOTHER Reflexion he had, that the Caſe is much the ſtronger with us, than it was at *Munſter*, in Regard all the Ceremony between the *Spaniards* and the *Imperialiſts* was gone through here, before we received any Manner of Notification, or did as much as know certainly that the *Spaniards* had the Character of Ambaſſadors.

HE ſaid further, it was a certain Rule (he gave the Inſtance) in *Venice*, where he has been Ambaſſador, that if the *Spaniard* and *Imperialiſt* (for Inſtance) do viſit one the other with never ſo much *Eclat* and *Parade*, before the laſt Comer (the *Imperialiſt* for Example) ſees the

the Prince or *Doge*, that goes for nothing, and *choques* not a *French* Ambaſſador at all: But if the *Imperialiſt*, having ſeen the *Doge*, ſhall afterwards notifie and receive Viſits from the *Spaniard*, before he notifies and receives Viſits from the *French*; in that caſe 'tis an abſolute Breach, and the *French* will not ſee the *Imperialiſt* at all.

THIS Rule he applied thus; We, ſays he, that are Parties, look upon his Majeſty, in his Figure of Mediator, as the Prince and *Chief* here; therefore what is done before his Miniſters be notified, muſt be a Thing done *hors de Rang*, and not of Conſequence, as it would have been after the Mediator is notified.

I gave you an Account, SIR, in my laſt, how the *French* Ambaſſadors had taken their Hour before me, as alſo what they ſaid and did upon it, in getting it to be changed; *Don P. Ronquillo*, in a Converſation I had with him laſt Night, will have all the Merit of that Reſpect given to his Majeſty, to be on the *Spaniards* Side; for he ſays abſolutely, that the *French* ſent their Gentlemen to take an Hour of M. *de los Balbaſes*, before the *Spaniſh* Gentlemen were ſet out to notifie me, the *French*, or any other of the Parties; and that they made their Complement upon this Foot: "That they, the *French*, called to Mind, "how that M. *de los Balbaſes* and his Collegues had notified them of "their Arrival ſome Weeks ago, but had withal deſired them to ſuſpend "the paying of their Viſit, till the new Powers in Form were come "from *Spain*; that now they had underſtood by the Nuncio's Auditor, "thoſe Powers were come to Hand; and thereupon concluding that they "might be now admitted to viſit them, had ſent thoſe Gentlemen to "take an Hour.

THIS Complement being ſet upon that old Foot, the *Spaniards* did not know how to refuſe them an Hour; but that the Auditor coming along with the Nuncio in his Viſit, *Don Pedro* took him aſide, as he ſays, while the Nuncio was at his Devotions in their new Chappel, and convincing him how irregular the Thing was, told him in plain Terms, that they muſt give the firſt Reviſit to the Mediator, not only from the Example of the *Swedes* to us here in the like Caſe, but much more from the Reaſon of the Thing. That the Auditor hereupon went ſtrait to the *French*, and acquainting them with what the *Spaniards* were reſolved to do, the *French*, judging this would be ſome kind of Embarraſs to them, deſired him to return back to the *Spaniards*, to deſire them to ſend a Gentleman to me, to advance my Viſit before the *French*; and another to the *French*, to deſire them to defer theirs till I had done.

THUS you ſee, SIR, both Sides challenge to themſelves the Merit of this firſt Reſpect to his Majeſty: However, by that which the *Spaniards* have declared, and by that which the *French* have done, the Point (which the *Swedes* and others ſeemed once to boggle at) is, I hope, eſtabliſhed beyond Contradiction.

AS to the Way of Interviews between themſelves, it ſeems the *Spaniards* and the *Imperialiſts* are reſolved to continue it, for *Don Pedro* tells me, that when the Biſhop of *Gurck* comes, (who hath made a Halt, ſome ſay at *Duſſeldorp*, others at *Cleves*, and hath been expected here theſe two Nights) they, the *Spaniards*, will viſit him, and he reviſit them, before any of the Parties be notified; and then the Breach between him and the *French* will be avoided, which would otherwiſe follow, if he ſhould notifie the Mediator firſt, the *Spaniards* next, and the *French* in the third Place: Nay, I perceive 'tis intended to be obſerved between the Ladies too, for Madam *Stradtſman* has viſited

Madam *de los Balbaſes*, in a Stile not yet known among the Women; with Coaches and ſix Horſes; and when Madam *de los Balbaſes* hath reviſited her, then my Lady *Temple*, Madam *Colbert*, and the reſt, will be notified in Form.

THE firſt Opportunity I had to ſpeak with M. *Beverning*, tho' he came Home on *Tueſday* Night, was on *Saturday* at his Houſe, where I laid before him, the Buſineſs of Prince *William*, and the true Grounds that had induced his Majeſty to intereſt himſelf in a Temperament touching his Liberty. I repreſented to him the Danger we are in here, of having the *French* make this a Preliminary, and of putting a Stop to this whole Negotiation, till they have what they call Reaſon done them; that I had, by his Majeſty's Orders, laid the Thing very Home to the *Imperialiſts*; and had the like Order to do the ſame to the Allies, and that I had begun with him. I let him ſee, there was all the Reaſon imaginable to believe, that his Majeſty hath no other Motive or End in theſe Offices, but the preſerving of our Negotiations here alive, he having not engaged in them a Year and a half ago, till he ſaw there was no other Means of getting the *French* to this Aſſembly, and he not renewing his Office, till he ſees the *French* ready to ſtir the Buſineſs anew, and to ſtick upon it.

HE ſeemed to be ſenſible of the Danger we are in of an *Accrochement*, but deſired to be excuſed, if he would not meddle in it, ſo as to treat with M. *Kinski*, he deſired me to forbear my Offices till the Biſhop of *Gurck* comes; (who is expected here every Hour) he is his old Acquaintance; he has the Secret of the Emperor's Affairs, and is much more tractable in Buſineſs than M. *Kinski* is; beſides that, M. *Stradtſman* will be found to concur wholly with the Biſhop, and not with M. *Kinski*; in the mean Time, he and I have reſolved to turn over our Papers, to ſee how far it can be made out, that the Emperor has come towards a Temperament, in any of his Declarations, that he or I may have in our Hands.

LAST Night, I acquainted *Don Pedro*, as another of the Allies, with the Orders I had to ſpeak to him and his Collegues, about the Buſineſs of Prince *William*. He would needs underſtand this as a new Menace of *France*; and therefore that they, the Allies, and the Emperor, muſt treat it accordingly: Then he fell to the ripping up of the Memorial, that the *French* printed in 1675, about the coming of their Ambaſſadors hither, and the Wrong that was done to his Majeſty in that Memorial: Then he fell upon the Anſwer to *Burgomaniero*'s Memorial, and the Sharpneſſes in it, whereby all the Blame is laid upon *Spain*; particularly, that they have not given in any Propoſitions for a Peace to his Majeſty, as the *French* have done, whereas they thought this to be the proper Place to give in their Propoſitions, and that what they had given in, was a ſufficient Ground for a Peace. He would not adviſe me, he ſaid, to bring this Buſineſs of Prince *William* to their Aſſembly, nothing will be done in it to Effect, nor in any Thing elſe, till Sir *William Temple* do return with his Majeſty's Plan, upon which all Parties may make a Peace; then the Buſineſs of Prince *William*'s Liberty will not be of Importance great enough to hinder the Peace, if in other Points it can be adjuſted.

JUST as I am gone thus far, M. *Beverning* comes in, and having begun with Complaints againſt the *Dunkirkers*, two of thoſe Privateers having taken up no leſs than 26 of their Herring-Buſſes, and put them to Ranſom, contrary to the reciprocal Liberty agreed for the Fiſhermen; he paſſed to other Buſineſs of greater Importance, as he ſaid, with ask-

asking me, whether I had any Letters out of *Spain* by this laſt Ordinary, and any News of the likelihood of a ſeparate Peace between *France* and *Spain*.

I told him, as it was very true, I had, both of the 1*ſt* and 15*th* of this Month, *N. S.* but little or nothing in them touching our Negotiations here, only of the Changes of the Miniſters at Court, and of the Fight in *Catalonia*: He told me, he had Advices of the 15*th*, that alarm'd him very much; and that which moved him moſt in them was, that Sir *William Godolphin*, his Majeſty's Ambaſſador there, is ſaid to be talk'd to *fierement* every Day more than other, with Expreſſions, that if his Majeſty do not hold a more favourable Conduct towards the Crown of *Spain*, they will be forced *à un coup deſeſperé*, which the *Dutch* Miniſter there cannot interpret to be other than a ſeparate Peace with *France*, and the giving up of the *Spaniſh Netherlands* by it.

M. *Beverning* told me, he took the more Notice of this, and made it his expreſs Deſire, I would humbly repreſent it to his Majeſty, as an Advice he thinks of ſo much the greater Importance from ſome Circumſtances in this Country, and upon this Place, that ſeem to confirm what the *Dutch* Miniſter adviſeth from the Court at *Madrid*.

This Miniſter adviſeth further, that whereas the ordinary Meetings of the Council for theſe Affairs, were but thrice a Week ever ſince the War began, they meet three Times more extraordinarily; and there are frequent Extraordinary Couriers, that go between *Madrid* and St. *Sebaſtian*; and the like, that come from St. *Sebaſtian* to *Madrid*, under the Notion of Extraordinary Couriers for *Flanders*; whereas, if there were any ſuch Thing, it's certain, they would bring ſome News or other along with them, how their Affairs go in *Flanders*; but theſe Extraordinary Couriers bring no ſuch Matter: On the other Side, 'tis well known, that M. *de Grammont* reſides upon his Government at *Bayonne*, and 'tis ſuſpected, that theſe Couriers go no further than to him; and when they come from thoſe Parts, that they come from him, and not from *Flanders*. Another Thing that this Miniſter obſerves is, that there is a Capuchin that goes to and fro upon an Errand, not otherwiſe to be accounted for; and M. *Beverning* further obſerves, that the Correſpondents the States have in *Savoy* and *Portugal* do adviſe, there is ſome private Negotiation on Foot between *France* and *Spain*, and M. *Beverning* inclines the more to believe it, for that *Don Juan* meets with powerful Oppoſition in his Adminiſtration; and cannot hope to conquer them ſo eaſily, as was thought at firſt, unleſs it be, when he has made a Peace with *France*.

That which on this Side moves M. *Beverning*, to think their Advices from *Spain* and other Places are not groundleſs, is, 1*ſt*, That he finds the *Imperial* Ambaſſadors here ſomething ſollicitous, leaſt *France* and *Spain* ſhould make a Peace, and the Price of it ſhould be, the ſurrendring of the *Spaniſh Netherlands*. Thus thoſe Miniſters have lately put the Caſe to the *Dutch* Ambaſſadors, what the Empire and the States General would do in ſuch a Conjuncture.

2*dly*, He is extreamly ſurprized, that within theſe very few Days, the *Spaniards* have unbeſpoke that Fleet of *Dutch* Ships, that was intended for the *Mediterranean*, under Pretence, that it is now too late for ſetting out; whereas he, M. *Beverning*, has told the *Spaniſh* Ambaſſadors, that the going out of this Fleet would be for the Reputation and Service of *Spain*, tho' it ſhould go no further than *Cadis*; but that they muſt impute it wholly to themſelves that it did not go out in *May* laſt, his Highneſs the Prince of *Orange* having aſſigned them early

early enough both the beſt Capital Ships, and the moſt experienc'd Officers that this Country affords.

A *third* Thing hs adds, and in that I cannot refuſe to joyn with him, that *Don P. Ronquillo*, who at firſt had a great Concern in every Step that was made in the Negotiations of this Place, hath of late ſpoken of the *Spaniſh* Affairs in general Terms, and without his uſual Concern for the Advancement and Progreſs of our Negotiation.

M. *Beverning*, upon the Requeſt I made him, was pleaſed to promiſe to ſend me the Tranſcript of a Copy, that I ſuppoſe the States his Maſters ſent him of the Advice from *Spain* of the 15*th* Current, *N. S.* if it come Time enough, I will be ſure to ſend you a Copy of it, otherwiſe I ſhall not fail by the next.

M. *Beverning*'s main Reflexion was, that his Majeſty, as well as his Maſters, had too great an Intereſt, to ſuffer the whole *Spaniſh Netherlands* to paſs under the Obedience of *France*; that now they, the States General, had ſo conſiderable a Force in the Country, that *Spain* would not be able to transfer the Dominion of their *Netherlands* to the *French*, without the Concurrence of the States General; and therefore, that this was the true Seaſon of their coming to an *E'claircisſement* of the Intentions of *Spain*; and that he deſired his Majeſty may have an Account of thoſe Advices and Reflexions: This I aſſured him ſhould be done by this Poſt. I am always, *&c.*

L. Jenkins.

Nimeguen, 2d Aug. 1677.

Right Honourable SIR,

MY laſt was of the 30*th* paſt; ſince which, I have the Favour of one from you of the 24*th* to acknowledge; and therein his Majeſty's Orders and Command, that I ſhould watch what is doing between the *French* and the *Dutch*. All that lies in me, I ſhall be ſure to do, GOD willing.

ON *Monday*, as ſoon as the Poſt was gone, the *Swedes* Ambaſſadors were with me, to deſire my Offices in getting an *E'claircisſement* from the *Spaniſh* Ambaſſadors as to the Queſtion, whether they timely and equally notified them with other Crown'd Heads? whereof I gave you ſome Account from M. *d'Olivenkrantz* ſingly, in my laſt.

ON *Tueſday*, I ſpoke with M. *de los Balbaſes*, and *Don P. Ronquillo*, ſeverally about this Matter; the Doubt of the *Swedes*, and the *E'claircisſement* of the *Spaniards*, I have ſet down in a Paper by it ſelf, that goes encloſed, becauſe I would not trouble this Diſpatch with it; I left the *Swedes* yeſterday, upon Communication of what the *Spaniards* had anſwered, fully ſatisfied, and in a Reſolution to go through their Viſits with the ſooneſt.

M. *Petcum* having deſired me to communicate his Powers to the *Swedes*, as alſo the Deſire and Intention he had to viſit them, if he may underſtand that the *Swedes* Miniſters, of an equal Character with himſelf, are not in their Rencounters with the Ambaſſadors of *Denmark*, to pretend to other Treatment than ſuch as they, the *Swedes*, ſhould now give him M. *Petcum*. They, the *Swedes*, anſwered me on *Monday*, that they were ready to give the ſame Treatment to M. *Petcum*, as the *French* had already given him; provided M. *Heugh* would give his Word to them, as they ſay he hath already done to the *French*, that there was no more intended by the Character of *Deputé Extraordinaire*, than

than what that of *Envoyé Extraordinaire* bears. I have not yet been able to meet with M. *Heugh*, to receive his Anſwer upon this.

As to M. *Petcum*'s Power, the *Swedes* cannot accept it, nor will the *French* neither, as they ſay; they muſt have it exactly conform (*mutatis mutandis*) to the Powers that are already admitted for Count *Antoine* and M. *Heugh*.

On *Tueſday* having given an Account of this to M. *Petcum*, I found him unwilling any Declaration ſhould be given, that *Envoyé Extraordinaire* and *Deputé Extraordinaire*, were juſt the ſame Thing; this laſt of *Deputé* being, in the Opinion of ſome in their Court, ſomething more than *Envoyé*.

From this Subject, he and I fell into Diſcourſe of other Matters: He told me, among other Things, that at the Aſſembly of the Allies the Night before, there had been a Debate touching the *Manner of Proceeding* with their adverſe Parties, when an Anſwer to the *Lorain* Propoſition ſhould be brought in; and conſequently, the Allies have the Way opened to them to enter further into Matter.

The *Firſt* Queſtion was, Whether it ſhould be by Articles put in Writing, in the Form of a Project, or elſe by giving in the Matter undigeſted, and by Word of Mouth?

The *Second* Queſtion was, Whether the Matters, be they brought in the one Way or the other, ſhould be managed by Conferences *de bouche* between the adverſe Parties themſelves, or elſe be committed to the Management of the Mediators?

Most inclined to give in the Subject-Matter undigeſted at the firſt, and leave it to the Mediators to work it out, by going between the Parties, into ſuch Particulars, as might afterwards be moulded into Form and into Articles.

In this Debate, M. *Beverning* interpoſed, and deſired them to forbear reſolving of any Thing for the preſent, for that he hoped it would not be long e're Sir *William Temple* return'd out of *England*; and that then he'll bring along with him a Plan from his Majeſty, comprehending the Terms and Expedients upon which the ſeveral Parties may come to a General Peace, and that then they might work upon that Plan, in giving or taking more or leſs; that his Majeſty might thereby ſee how far the Miniſters of each Side might be prevailed with, to yield to each other here; and in thoſe Matters which were not to be compounded or reconciled by Offices here, it might be left to his Majeſty's Royal Wiſdom, to interpoſe further with the Parties Principal.

This that M. *Beverning* advanced, ſaying that the Advices he had bore it, hath added much to the longing of the Allies here to ſee Sir *William Temple* returned, and to have wherewith to ſet them on Work.

M. *Petcum* ſeemed to be of Opinion, that the reconciling of the Buſineſs of *Sweden*, eſpecially in *Germany*, would be the hardeſt Knot in all the Treaty. The Houſe of *Lunenburgh* will do all they can poſſibly to hold what they have, and ſo will the Elector of *Brandenburgh*, to hold what he can get in *Pomerania*, and he is not unlikely to get it all. Speaking of ſome Inſtabilities that have been obſerved in the Court and Councils of *Brandenburgh*, and of the great Value that M. *Somnitz* hath with the Elector, and with all Men for his Integrity, he ſaid, there had paſſed ſome Words between him and M. *Beverning*, in a late Aſſembly of the Allies, the Occaſion was this: The Project of the *Dutch* Treaty of Commerce being communicated to the *Brandenburghers*, and Copies being given of it, as it was intended to be given in to the *French*, and the *Brandenburgh* Ambaſſadors ſending it to their Court, (with

(with what Informations is not known) it was there underſtood and taken to be a Thing not in the Project of a Treaty, but fully adjuſted and finally agreed (where, by the way, we ſee, the *Dutch* gave Copies of their Project to the ſeveral Allies, before it was put in to the *French*, but gave us none, only promiſed to do it, and we were forced to call on them for it before it was done).

M. *Beverning* charged theſe Ambaſſadors, as if they had repreſented the Thing amiſs; he ſpake very warmly of it, and in Defence of the Sincerity of his Maſters, and of his and his Collegue, their Miniſters. M. *Somnitz* deſired him to forbear at that Time and Place, but he would not; *Vander Tocht*, the *Dutch* Miniſter, having had Reproaches about this Thing in *Berlin*; and the *Brandenburgh* Miniſter at the *Hague* having raiſed all Clamours poſſible about it, and all upon a pure Miſtake; the *Brandenburgh* Miniſters having found the Project to be in concluding Terms, it being a Tranſcript of the Treaty of 1662, they underſtood and repreſented it, as M. *Beverning* would have it, to be a Thing agreed between the *Dutch* and the *French*, even before theſe laſt had it put into their Hands.

One Thing more M. *Petcum* told me, that the *French* Ambaſſadors had proteſted to him, they would ſtay no longer in this Place, unleſs they can make a Peace this Winter.

M. *de los Balbaſes* told me on *Tueſday*, that M. *d'Eſtrades* having been a few Hours before to give him a particular Viſit, they had diſcourſed of the Peace, and particularly of the Affair of *Lorain*, his Conjecture was, that the Anſwer we now expect every Day from the *French* about *Lorain*, will not be categorical; for that M. *d'Eſtrades* had propoſed to him the Example of the *Pyrenees*, for them and *Spain* to follow here, and to poſtpone the Buſineſs of *Lorain*, till the Peace between the two Crowns be fixed.

M. *d'Eſtrades* had been at *Don P. Ronquillo*'s the ſame Day, in a particular Viſit: All that *Don Pedro* told me of their Converſation was, that they had made a Trial of their firſt Lances, not mentioning any particular.

Yesterday the *French* Ambaſſadors were with me, to let me know they were much ſurprized, that the *Imperialiſts* will needs take it for granted, that the Biſhop of *Strasburgh* is not an Ally of *France*; they were come, they ſaid, to declare, that the King their Maſter had taken him into his Alliance, and that he is to be reputed his Ally, tho' not ſuch an Ally as is, or ever was, engaged with him in the War againſt the Emperor: That when we were adjuſting the Words of the common Form of *Plenipouvoir*, the Allies had deſired, that to the Words *pour Traiter avec le Roy Trés-Chrêtienne & ſes Alliez*, theſe Words *qui ſont en guerre*, ſhould have been ſubjoin'd: That they, the *French*, then oppoſed it; and the principal Reaſon why they did it was, becauſe the King their Maſter had Allies that are not engaged in the War; and the letting of that Word to enter into the *Plenipouvoir*, would have been an Excluſion of ſuch Allies, and namely, of the Biſhop of *Strasburgh*, whom they then named, and pointed out, both to the Mediators and to M. *Beverning*; that however they might not then be fully underſtood, they were now come to declare that to have been always their Meaning, and to confirm what is known publickly enough, that M. *de Strasburgh* is an Ally of *France*, and that that ought not to be any Prejudice to his appearing here by his Miniſters, as freely as any other Prince of the Empire may; ſince it is an undoubted Right of the Princes of the Empire, to make Alliances with other Foreign Princes, provided they be not againſt the Emperor or Empire.

A few Hours after, M. *Ducker* came to me, to declare on his Part likewiſe, that his Maſter had the Honour to be taken by the Moſt Chriſtian King into his Protection, as alſo into his Alliance, yet that that Alliance is ſuch as does not engage him in this War, or is in any wiſe repugnant to what he owes either to the Emperor or the Empire.

YESTERDAY I received a Letter from the City of *Hamburgh*, addreſſed to the Embaſſy here: In the firſt Place it takes Notice of our Diligence to procure Paſſports from *France* and *Sweden*, for their Deputies to come hither, and are ſatisfied with it, tho' we have not hitherto had the Succeſs to procure them: In the next Place, they ſuppoſe there is a Treaty going on about Navigation and Commerce, wherein they do ſuppoſe the King our Maſter, the Moſt Chriſtian King, and the King of *Sweden*, will have a principal Part: They deſire, that ſince their Being depends principally upon the Freedom of Trade, we would take Care to get their City included in ſuch a Treaty. The Thing as they propoſe it, is not practicable by us, having no Inſtructions upon it from his Majeſty, nor are we (it may be) capable, conſidering his Majeſty's Figure of Mediator, of having ſuch Inſtructions as may make us Parties for them, ſo far as their Intereſt and the Oppoſition of others may require; but they making the Concern of the King's Subjects in their Trade, to be the Ground of their Requeſt, his Majeſty will doubtleſs have the Reflexions that are proper upon it; their Republick is conſiderable; and a Support from his Majeſty in this Conjuncture may poſſibly have thoſe Effects with them, as to paſs into a laſting Obligation upon thoſe People; but this I wholly ſubmit, and beg your Orders what to anſwer upon this Letter; remaining always, *&c.*

L. Jenkins.

Nimeguen, 6th Aug. 1677.

Right Honourable SIR,

MY laſt was of the 2*d*, ſince which I have the Favour of yours of the 31*ſt* paſt to acknowledge, and do moſt humbly thank you for the Information you are pleaſed to be ſo particular in to me, touching the Stile of *Invictiſſimus*, and Count *Wallenſtein*'s Importunities there upon it.

WHAT you are pleaſed to obſerve from M. *Skelton*, of the Stile of *Sweden* to the Emperor, is, I doubt not, very certain, and I ſhall make it my Buſineſs to enquire, whether the Emperor doth not give *Majeſtas*, and not *Serenitas*, to the King of *Sweden*: In their Memorials they are very exact, as often as they ſay *Sa. Ca. Matas.* to couch with it *Sa. Ra. Matas. Sueciæ* in the ſame Period.

I moſt humbly thank you likewiſe for the Impreſſes you have ſent me; I am glad that they have found nothing yet under the Great Seal that makes againſt us; I muſt confeſs I am not without Apprehenſion, that if they ſearch backward as far as King *James*'s Time, there may be ſome Inſtruments in ſome of his Embaſſies that may make againſt us; for I ſuppoſe we were liberal enough in Point of Titles, while the Buſineſs of the *Palatinate* was depending; and one Thing more which I am afraid of, King *James* begins one of his Tracts about the Oath of Allegiance, with *Invictiſſime Imperator & Sereneſſimi Reges*; but in this, I hope, I am out, having not the Book by me to examine; or at leaſt, that the Miniſters of this Age will not hit that Blot.

On *Thurſday*, after the Poſt was gone, M. *Spanheim* brought me a Writing, (the Copy whereof goes herewith incloſed) being a Complaint of the *Hungarian Proteſtants*, of their being bereaved of their Miniſters, and other Grievances relating to their Religion; it was delivered by certain Deputies of thoſe Proteſtants, to the Elector's Miniſter reſiding at *Vienna*, and it was his Electoral Highneſs's Pleaſure to ſend it hither, with Order (as M. *Spanheim* words it) to take my Opinion upon it.

It would be too great a Confidence in me to deliver any Opinion, in a Matter ſo foreign as that is to the Service I am upon here, and in a Thing wherein I am ſo utterly ignorant, both in the Matters of Fact and Matters of Right, that are alledged in this Memorial. Only I let M. *Spanheim* ſee what has paſſed between his Majeſty and the States General, which we had by your Favour communicated to us in *November* laſt, touching the poor diſtreſſed *Hungarian* Miniſters; and how that his Majeſty had, as may be gathered from his Letter to the States General, ſent Orders to Mr. *Skelton* upon that Subject, and expected further Information from the States, by what Manner of Means his Majeſty might moſt uſefully interpoſe for thoſe poor People.

On *Friday* M. *Chriſtine*, in a particular Viſit he favoured me with, entred into a Diſcourſe of the great Calamities of *Flanders*, and of his own Share in them; having not of a great while received one Farthing from the Eſtate he has in that Country, and being driven to contribute exceſſively in Regard of his Office, as being of the Council there. I mention this, becauſe he added one Thing that was at the old Rate of *Don Pedro*; it was, that tho' the War be as bad for them as may be, yet a Peace would be worſe; for then the very Garriſons of *France* in their Conqueſts, would make an Army ſufficient to ſwallow them up in a Night; whereas now, the Force of their Allies in the Country, ſaves them from being devoured all of a ſudden: As for Treaties, and Guarantees, and Publick Faith, he would not allow there is any Security in them; the Experience they already have, not ſuffering them to truſt to any Thing, but to a Force that is equal or ſuperiour; and that they can never have, at the Diſtance they are from *Spain*, and as Matters have been hitherto managed in that Monarchy.

M. *Heugh*, in a Converſation I had with him the ſame Day, took Occaſion to expreſs, with much of Proteſtation, the extraordinary great Reliance that the King his Maſter hath on his Majeſty's Friendſhip; he hath done ſo pretty frequently, and at this Time with extraordinary Profeſſions of Sincerity on his Part, and of the certain Knowledge he hath of the King his Maſter's Paſſion for his Majeſty; adding withal, that they are at this Time in *Denmark* in a pretty good Condition at Sea, and that he hopes they will appear ſo conſiderable to his Majeſty, that he may be pleaſed *faire quelque fonds* upon them.

He ſays, the King his Maſter is really and heartily diſpoſed to accept of any tolerable Terms for a Peace; the main Thing he aims at is, to make his Condition ſomething better in *Schoonen*, than that the King his Father left him in, having been forced to part with that which was the ancient Inheritance of the Crown, and to diveſt himſelf ſo, that his Capital City was become a Frontier.

Another Thing, he ſaid, was an intolerable Grievance to them, rather for the Diſhonour of it, than the Loſs in it, it was, the Terms upon which they ſtood with the *Swedes*, in Matter of Maritime Affairs; if that were a little mended too, in the reſt his Maſter would be quickly ſatisfied; and in both theſe he hopes to be righted, by the great Equity of his Majeſty in his Mediation.

FROM this he paſſed to diſcourſe of the Siege of *Charleroy*, and of the Difficulty of that Enterprize, which he ſaid might be of very ill Conſequence to his Highneſs the Prince of *Orange*'s Intereſts in this Country; ſince it cannot be known how far the malignant Party would improve ſuch an Opportunity againſt the Prince: The *Amſterdamers* having already ſhewed their Teeth, in declaring *comme au ſon de la grand clóche*, that this was the laſt Time, and they would never be brought to contribute again the 200*th* Peny in this War.

YESTERDAY M. *Beverning* and I had another Meeting about Prince *William*'s Affair: We had before us all that had paſſed between Count *Oxenſtiern* and the Emperor, and his Miniſters at *Vienna*, the Count having favoured me with a Tranſcript of all out of his Papers, which I ſhall ſend you by the next; we had alſo all that paſſed between his Majeſty and the Emperor by Mr. *Skelton*, M. *Ducker*, or otherwiſe, upon that Subject; as alſo what has paſſed between the Emperor and the Nuncio's *Bevilacqua* and *Bouviſi*; but we want what paſſed between him and *Albrici*, who was Nuncio when the Prince was ſeized.

THAT which we look after and cannot find is, that the Emperor hath at any Time declared, he would leave the Buſineſs of that Prince to this Treaty. Something there is, as if the Emperor and the Parties had declared, tho' not fully to that Effect, yet that we may gueſs may be made Uſe of to that End; it is in Anſwer to a Memorial of Sir *William Temple*'s, that if the Peace be made, then the Prince ſhall have entire Liberty. This Anſwer M. *Beverning* writes for this Day, for as it happens, I have only a little Note of it, it bears Date the 19*th* of *April* 1675.

OUR Hopes are, that if it can be made out, the Emperor has at any Time declared, that the Buſineſs of the Prince ſhould be left to this Aſſembly, the Aſſembly may at any Time challenge and take it in Hand, and judge it reaſonable that his Majeſty may be complied with in the Temperament he hath propounded, rather than *accroche* all our Negotiation here with that Buſineſs; tho' I confeſs I have little Hopes of any greater Moderation in the *Imperialiſts*, from what M. *Oxenſtiern* told me, of the perſonal Reſentments that the Emperor diſcovered to him againſt the Prince, and of the Concurrence of all his Miniſters in it.

BESIDES, there is no body without ſome Hopes, that we may have a Peace this Winter; and then the Time will be ſo ſhort, that the Allies will rather hope, his Majeſty will pleaſe to employ his Offices with *France*, to forbear ſtirring in this Matter for a few Months, rather than inſiſt that the Emperor ſhould, after all this Delay, now give in to the Temperament, and that the Allies ſhould join with his Majeſty to diſpoſe him to it; but this is no more than my Conjecture. I ſhall go on in moving the Allies formally, as I have already done M. *Beverning* and *Don P. Ronquillo*, as ſoon as we can ſee what the States Reſolution of the 19*th* of *April* 1675. will furniſh us with. M. *Beverning*, in the Converſation we had together laſt Night, diſcover'd to me, that he is more at Eaſe ſince he received the Letters of this Ordinary from *Spain*, than he was before, as I told you in one of my laſt; for their Miniſter adviſeth, that tho' *Don Juan* were of Opinion, and ſhould adviſe the King of *Spain* to part with the *Low-Countries*, yet he would not be able to carry it, as Things now ſtand in the Council; for the Miniſters that are againſt it have the laſt Will and Teſtament of *Philip* IV*th* to plead, whereby it is, it ſeems, forbid to alienate any Part of the Monarchy, but moſt expreſly and by Name the *Spaniſh Netherlands*. I am, *&c.*

L. Jenkins.

Nimeguen, 9th Aug. 1677.

Right Honourable SIR,

SINCE my laſt, which was of the *6th*, I have the Favour of yours of the 3*d* Current come to Hand, with more than ordinary Speed.

IT is with the deepeſt Senſe of Duty and Acknowledgement poſſible, that I receive the Intimation you are pleaſed to favour me with, of his Majeſty's Royal Grace and Clemency, in not diſapproving what I have endeavoured here in the Viſit of Ceremony, between the *Spaniſh* Ambaſſadors and my ſelf.

YOU will 'ere this have found by my Letter of the 30*th* paſt, how ſoon the Reviſit to me was over; and conſequently, that your Orders came not Time enough to move upon that Point, which I perceive his Majeſty would have cleared; that is, that the *Spaniards* in their Reviſit, ſhould have taken the *Imperialiſts* in their proper Place, I mean after the Mediators, notwithſtanding what had paſſed between them, as Miniſters of the ſame Houſe already.

IT is to me under Correction extreamly improbable, that the *Spaniards* would have been brought to do this, or the *Imperialiſts* to accept it; that which paſſed between the two Embaſſies being not intended for a private Interview, after which a more ſolemn one was to follow, but being all of Interviſit that was to paſs between them.

THAT which poſſibly may ſatisfie them is, that the *Imperialiſts* loſt not their *Rang*, becauſe they were, as it were, abſent from the great Day of Ceremony, ſince there was the ſame Ceremony and Solemnity paid them the Day before, as was intended for us.

THAT which ſatisfies us on the other Side (I mean the Mini- of all Crown'd Heads) is, that their Viſits being *Hors de Rang*, and before Notification to any other, they were without Conſequence, and that they muſt be underſtoood ſo the rather, for that otherwiſe the Nuncio, for whom the *Spaniards* do profeſs a firſt Reſpect, and whoſe Precedency the *Imperialiſts* durſt not diſpute, would have ſuffered the moſt of any, as neither himſelf, nor any of the Parties here, do reckon he hath ſuffered by this Anticipation. 'Tis true, there remains no more, as you are pleaſed to obſerve, but that we make the beſt Uſe we can of the *E'claircifſements* we have in Hand, and of the Precedent we have from *Munſter*; yet if Right be done to his Majeſty, (as I hope it will be done) by three or four Ambaſſadors that are yet to come, the Caſe will be mighty ſtrong, if not a clear Deciſion on our Side againſt the *Imperialiſts*; and there will be nothing to oppoſe againſt it, I mean againſt the Suffrages of all the Crown'd Heads of *Europe*, but this ſingle Shift and Contrivance of the *Spaniards*, in Favour of the *Imperialiſts*.

THE Ambaſſadors I mean, are Count *Antoine* and M. *Odyike*, who have nothing to do, no more than we, with the Nuncio, ought regularly to give the firſt Notification and Reſpect to his Majeſty's Miniſters, as the general Mediator; and there is nothing to tempt them to do otherwiſe, unleſs it be their preſent Alliances. There are two other Ambaſſadors more that are expected, I mean *Don Franciſco de Mello*, and his Collegue; when they are come, methinks tho' they be no Parties, yet their own Character and Pretenſion as Mediators, will lead them to notify his Majeſty's Miniſters in the firſt Place, only they will

order

order it ſo as the *Spaniards* have done, in paying the firſt Reſpect of all to the Nuncio.

BUT I hope, before any of theſe come, (tho' Count *Antoine* be talk'd of and expected every Day, and that about thirty of his Domeſticks arrived near a Fortnight ſince) one, if not both my Collegues, will be return'd hither, with ſuch further Orders as his Majeſty ſhall think requiſite for our Government in this Point. Nor am I out of Hopes, but that the Repreſentation, which you may have already made on that Side, of what M. *Heugh* hath merited already, may operate here, ſo as to engage Count *Antoine*, when he comes, to clear this Point: Nay, 'tis poſſible you may think it worth the while to try, how far the Court of *Denmark* may be diſpoſed to fix this Buſineſs when Count *Antoine* ſhall appear. I am apt to think the *Imperialiſts* do labour this Point on their Side at that Court; for I perceived they have laboured in M. *Petcum*'s Buſineſs, and the *Imperial* Ambaſſadors here have expoſtulated with M. *Heugh*, for that M. *Petcum* ſaw me before he ſaw them; they have ſince refuſed to ſee M. *Petcum*, tho' M. *Heugh* hath laboured to excuſe his ſo doing, with ſaying, there was a Neceſſity for his having Recourſe to the Mediator for his Offices upon the *Plenipouwoir* that the King of *Denmark* has given him; 'tis true, there was another Embarraſs between them, for M. *Petcum* pretended the *Imperialiſts* ſhould give him the ſame Treatment, that the *Imperial Envoyez* ſhould pretend to in any Rencounter hereafter with the Ambaſſadors of *Denmark*; but as it was not difficult for them to give the ſame Anſwer as the *French* did in this Point, (which was, that they would not declare or ſtipulate any Thing in Caſes not yet fallen out, but that M. *Petcum* ſhould be welcome to them, ſince he did not inſiſt to have the Hand, or any ſuch Thing) ſo I think the Difficulty between the *Imperialiſts* and him is, for that he viſited them not in the firſt Place, and before me.

ON *Monday*, M. *Colbert* told me, in a particular Converſation, that he had lately taken an Occaſion to ſpeak with M. *Beverning*, and to know of him, how he and his Collegue had underſtood the Acceptance that they, the *French* Ambaſſadors, had declared of the Treaty of 62 *in all its Points*. That M. *Beverning* had thereupon told him, it had never entred into his Thoughts and his Collegues, that they, the *French*, meant any more than the *Points of Commerce*, which are from the 13*th* Article downwards; and that the *Petitum* or Demand that they, the *Dutch*, had made, being about Commerce only, and Beginning in their Project from the 13*th* Article downwards, they did not underſtand the Conceſſion or Anſwer of the *French* to be other, than adaquate to what they had asked, and conſequently that the 12 firſt Articles never came into Queſtion between them.

THIS M. *Colbert* told me, not, he ſaid, but that his Majeſty had done them the Honour to believe them upon their own *E'claircisſement*, as they had underſtood from M. *Courtin*, but for one Argument more in Confirmation of what they had ſaid before upon that Subject.

HERE I taking Occaſion to tell him, that the Difference now between them was not great, eſpecially conſidering the Temperament they in *France* were ready to give, when the Peace were once made, both in the Matter of the *Traité foreigne* and of the 50 *Sols*. He acknowledged there might be Ways found out to accommodate them, yet not ſo long as the *Dutch* ſtood, as they did, for the ſatisfying of their Allies.

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One Thing fell from him, in ſpeaking of the *Traité foreigne*, which I had never obſerved before; it was, that the *Dutch* inſiſted to have it reduced to the Foot it was upon in the Year 32, or at leaſtwiſe, ſaid he, as it was in 62, the Time of the laſt Treaty; this laſt Branch of the Alternative, I do not remember to have heard ſpoken of before, ſo that it is poſſible, this is a Temperament the *Dutch* have yielded to, upon ſome further Treating between them and the *French*, for they are frequently together, ſince our having had any Thing to do in it.

In this Conference, M. *Colbert* excuſed himſelf, and ſo did M. *d'Avaux* afterwards, from giving any Thing in Writing to the *Imperialiſts* by Way of owning the Biſhop of *Strasburgh* to be an Ally of the King their Maſter; they ſaid, it was too trifling a Matter, and all the Anſwer they would give was, that they did declare — *Qu'ils reconnoiſſoient M. l'Evêque de* Strasbourg *pour Allié du Roy leur Maître*, and yet ſo ſcrupulous is M. *Kinski*, that he muſt needs have thoſe Words, as few as they are, from me in Writing, forſooth! for better Certitude Sake, which I gave him and his Collegue laſt Night.

M. *Ducker* dictated to me his Anſwer, which was in theſe Words, and I dictated the ſame over again to the *Imperialiſts*.

— *Que c'eſt rendre juſtice à M. le Prince Eveque de* Strasbourg, *que de ne le pas conſiderer comme Ennemy de ſa Majeſtée Imperiale, & de l'Empire.*

— *Qu'il l'à toujours declare & le declare encore, qu'il n'à jamais ſongé ſeulement à le devenir.*

— *Que par ce qui eſt de la Protection & de l'Alliance dans laquelle il à l'honneur d'eſtre receu de ſa Majeſtée Tres Chrêtienne, il croit quil ne s'eſt nullement de parti par la de ſon devoir envers ſa Majeſtée Imperiale & l'Empire.*

This the *Imperialiſts* told me they would conſider of, and give me their Reflexions upon it, not as coming from a Miniſter, but from a *Serviteur* (that was the Word) of the Biſhop of *Strasburgh*.

This is the Way of M. *Kinski*'s Proceeding, but I cannot think he will gain any Thing by it, for I cannot ſee how they will avoid admitting of M. *de Strasburgh* to the Treaty, it being a Thing that in a Manner was yielded in the adjuſting of the *Plenipouvoirs*, when the Confederates would have had theſe Words, *qui ſont contra nous en guerre* added to the Word *Alliez*; the *French* oppoſing the ſaid Words moſt ſtiffly, and giving for their Reaſon, that thoſe Words, if they ſtood, would be an Excluſion to the Biſhop of *Strasburgh*.

In this Converſation, the *Imperialiſts* enquired of me, (and they had ſent a Secretary to do it the Night before) whether I had any News from the *French*, touching their Anſwer to the *Lorain* Propoſition; obſerving to me, that there are now three Weeks upon expiring, ſince it was put into their Hands, and that they might reaſonably expect an Anſwer before this Time, in Regard the *French* had ſaid, they had Power to anſwer, and that at the Time it was delivered into their Hands; they ſaid no more, but that they did accept it, and would examine it.

M. *de los Balbaſes*, in a Viſit he favoured me with yeſterday, expreſs'd likewiſe a great longing to have this Anſwer to the *Lorain* Propoſitions; then his Opinion, he ſaid, would be, to go to the *detaile* of Things, and to wave all Manner of Writing, leaving to the Mediators, when they have the Particulars that the Parties demand communicated

municated to them, to try how near they can bring the Parties together, by going between them, and uſing the Reaſons they ſhall be furniſh'd with from the one towards the other Side: Yet, as far as I can perceive by M. *d'Olivenkrantz*, they, the *Swedes*, will not let fall the laſt Anſwer of the *Imperialiſts*, without replying upon it in Writing, for he thinks it may be of Advantage, in order to the better informing of ſome Princes in the Empire.

HEREWITH goes incloſed that Extract out of M. *Oxenſtiern*'s *Protocoll*, touching Prince *William* of *Furſtemburgh*, that I mentioned to you in my laſt. I am ever, *&c.*

L. Jenkins.

Nimeguen, 13*th Aug.* 1677.

Right Honourable SIR,

SINCE my laſt of the *9th*, I have not the Favour of any from you to acknowledge.

THAT Diſpatch was no ſooner gone, but Meſſieurs *Kinski*, *Heugh*, and *Beverning*, came to me from the Body of the Allies, to deſire my Offices towards the Ambaſſadors of *France*, in order to get from them an Anſwer upon the *Lorain* Propoſition in their Hands. They obſerved to me, that it was then above a Fortnight the *French* had had them, that the *French* having declared (before the Propoſition was given in) that they had Power to give an Anſwer to it, they, the Allies, did now hope, that they were ready to do it, and that they were in ſo much the greater longing for it, for that the Want of it was an *Accrochment* upon the Intereſts of the whole Alliance.

NEXT Morning I took an Hour of the *French* Ambaſſadors upon this Errand, but M. *d'Avaux* was away; the other two told me, they wonder'd very much the Allies preſſed this Point ſo hard, they, the *French*, having been forced to ſtay three Months together for an Anſwer to their Propoſitions.

THE Anſwer they would now give ſhould be *Alternative*, either that it was not reaſonable they ſhould make an Anſwer with ſo much Precipitation, in a Buſineſs that deſerves ſo well to be deliberated upon, not eſpecially at this Time, for that it would be againſt the Dignity of the King their Maſter to do it, while the Duke of *Lorain* ſeems to demand it in the Head of an Army upon the Borders of *France*.

THE *other* Branch was, that if the Allies, all of them, for their own Concerns in ſeveral, would come to particular Propoſitions and Demands, *qui ſeroient plus convenables à l'etat des affaires*, and ſay, *this and this we will do*, or, *we will be contented with, provided that the Duke of* Lorain *have his Satisfaction thus and thus*, they, the *French*, in that Caſe would give a categorical Anſwer at one and the ſame Time, not only to the ſeveral Allies, but to the Duke of *Lorain* likewiſe.

FINDING the Anſwer like to be to this Effect, I thought it incumbent upon me to repreſent unto them, That an Anſwer thus dilatory would very much diſreliſh the Allies, and raiſe a great Clamour againſt them, the *French* Ambaſſadors: I offered to their Conſideration, how that the Allies alledged, they could do no leſs than inſiſt for a categorical Anſwer, as they do, (eſpecially the *Imperialiſts*, *Spaniards*, and *Hollanders*) for that they are engaged expreſly by Treaty, to procure to the Duke of *Lorain* the ſame Liberty of Treating as themſelves have;

have; which they conceive him to be debarr'd of, while he is refuſed an Anſwer to his firſt Propoſition, the *French* having given an Anſwer to all the other Parties.

ANOTHER Thing I told them the Allies would be ſure to lay hold on, it was, the Anſwer they, the *French*, themſelves had made, when the Allies had by me put the Queſtion to them, whether they would anſwer *Categoriquement quant au gros de l'affaire & promptement ſans avoir ulterieur Recours à leur Cour*, in Caſe the *Lorain* Miniſter did put in his Propoſition in the very Form inſiſted on.

FOR the Anſwer then of the *French* being upon this, that they were ready to receive the Propoſition, and *qu'ils avoient Pouvoir d'y repondre dans le temps, & à la maniere qu'ils jugeroient à propos*: This did, in the Judgment of the Allies, imply, that it was in the Power of the *French* to anſwer as ſoon as they pleaſed, and that there was no need of their having Recourſe to Court for further Directions; that now, even after that there is ſo much Time ſpun out, as might have ſerved to procure Directions from Court, to find no Word in their Anſwer touching the Reſtitution of *Lorain*, will be Matter of Surprize to them, the Allies; for it being in the Power of the *French*, as themſelves have ſaid, to anſwer, ſuch an Anſwer as this is, might have been given the next Day after the receiving of the Propoſition.

TO the *Firſt*, M. *Colbert* anſwered, that the only Way for the Allies to make good their Engagements to the Duke of *Lorain* is, for each of them to give in more reaſonable Propoſitions in their own Behalfs; then all of them ſhall have their Anſwers.

TO the *Second*, I mean in that they ſaid they had Power to anſwer, his Reply was, that that is to be underſtood with the ſame Reſtriction as the Words impowering in all *Plenipouvoirs* are, that is, Men have Power to act, to conclude, and to ſign by their Commiſſions, yet they do nothing of that without taking their own Time to deliberate, and, as they ſee Cauſe, to adviſe with thoſe that entruſted them.

AFTER a great deal of Diſcourſe upon this Subject, M. *Colbert* deſired the Debate might be adjourned till next Morning at my Houſe, becauſe M. *d'Avaux* was away: M. *d'Avaux* and he coming next Morning at the Hour they had taken, M. *Colbert* told me, they had varied but little from the Opinion they were of the Day before, and that they had now brought me their Anſwer in Writing, for the Help of my Memory; the Copy of that Writing goes herewith; but M. *Colbert* reading over the Writing, M. *d'Avaux* (who probably had not ſeen it before) deſired ſome Things to be blotted out in it; what was blotted out, and what was altered, will appear by the Copy, for it is tranſcribed juſt as it was left in my Hands. I found after all ſome Expreſſions in it that were rough, and would be Matter of Cavil and *Aigreur* if delivered to the Allies; therefore I took the Liberty to alter it, as it goes along herewith in another Paper, having firſt ſhewed it to the *French* Ambaſſadors, to let them judge if I did retain their Senſe or not; and 'tis in thoſe Words I intend to deliver the *French* Anſwer this Afternoon to the Allies in their Aſſembly.

M. *Colbert* obſerved to me, that his Maſter and his Miniſters have declared their Diſlike, that the Affairs of *Lorain* are managed, not by the Miniſter of that Duke, but by the whole Alliance in general; that they, the *French* and *Swedes*, do not appear ſo in a Body for the Biſhop of *Strasburgh* their Ally.

IN this Converſation, I thought it not unſeaſonable to ask them, (as I had done in that of the Day before) whether they had foreſeen any Diffi-

Difficulty or Thought of any Precautions to be taken in the Matter of Ceremony, now that the Biſhop of *Gurck* was like to appear 'ere long in publick. They told me, they had not yet penetrated how near that Ceremony was at Hand, but that they would be ſure to communicate with me, if they had any Reflexions to make upon it.

I told them, how that ſome Ambaſſadors had been ſounded, whether they would give the Title of *Alteſſe* to the Biſhop, as Prince of *Gurck*; and lay before them ſome of the Difficulties that it would have with me, in Caſe I were put to it; giving them ſome Account how that Title had been conteſted at *Munſter*, to the Duke *de Longueville*, and that the Word, *Vorſtelyck Genade*, which, it ſeems, contents him in *High-Dutch*, being in preciſe Conſtruction but *Princely Grace*, ſeems to be inferior to the Word *Alteſſe* in its Importance, conſidering that this Word *Alteſſe*, is retained in the Stile of ſome Crown'd Heads; namely, in the King of *Spain*'s, in their judicial Addreſſes to this Day, at leaſt in ſome of his Courts and Councils of *Caſtile*.

M. *Colbert* was of Opinion, that if the Biſhop of *Strasburgh* were here in Quality of Ambaſſador to the Emperor, he were not to be treated *d'Alteſſe*, much leſs this Biſhop, who is neither Prince by Birth, nor his Biſhoprick a Principality of the Empire.

M. *Oxenſtiern* was the Ambaſſador that M. *Stradtſman* had ſounded, but M. *Colbert* thought he would not pretend to it; but believed, there was ſomething that ſtuck between the Biſhop and the Nuncio, for that the Pope, not allowing his Nuncio to take the Title of *Excellence*, they are loath to give *Excellence* to Ambaſſadors that are Eccleſiaſticks; but only the Reciprocal Title, or Treatment of *Seigneurie Illuſtriſſime*.

M. *d'Avaux*, a few Hours after, told me, he thought that Difficulty was over; for having asked the Auditor, how that Point would be ſettled between the Nuncio and the Biſhop? He told him, he treated him *d'Excellence*; whence he inferr'd, that the Nuncio gave in to that, and the Biſhop did not pretend to *Alteſſe*, nor do I find it, (as far as I have been able to get M. *Stradtſman*'s Secretary ſounded) that any beſides his own Domeſticks do treat him *Vorſtelyck Genade*.

I do find the Nuncio is endeavouring, upon this Occaſion, to ſalve the Failures of M. *Kinski* and M. *Stradtſman*, in the Point of Ceremony with the *French*, and to bring that Buſineſs about again if he can; yet the *French* were not pleaſed to take Notice of any ſuch Thing to me.

Last Night *Don Pedro Ronquillo*, in a Viſit he gave me, fell upon the Buſineſs of *Don Bernardo de Salinas* in *England*, treating it as very unfortunate, and ſo the Miſunderſtanding between Meſſieurs *de Bergyck* and *Burgomaniero*, to the Affairs of *Spain* at this Time; yet aſſuring me, that the King his Maſter is unmoveable in his Friendſhip for his Majeſty, and in the Confidence he hath entertained of his Majeſty's Equity and Affection to him in this Mediation. One Inſtance, he told me, I ſhould hear of 'ere long; which he hoped, his Majeſty would be well pleaſed with: It was, that this preſent Pope having propoſed to the Duke *d'Eſtrée*, Ambaſſador of *France*, that the two Crowns ſhould come to a Treaty, for the Peace between them, in the City of *Rome*; and that that Ambaſſador having given the Pope good Hopes the Thing might be brought about, and that his Brother, the Cardinal, might bring along with him (when he ſhould return out of *France*) the Powers and Orders neceſſary; the Pope propoſed the ſame Thing to the Marquiſs *del Carpio*, Ambaſſador of *Spain*: But this Ambaſſador did ſay no more to it, than that he would write to his

Court: When this came to *Spain*, it was reſolved, the Marquiſs ſhould have Orders expreſs, to let the Pope know, that the King of *Spain* could not conſent to the changing of the Place of Treaty, nor would depart from the Mediation of the King our Maſter, which he had accepted, and did rely on, for the good Effects he expected from it, in making the Peace general. He (the King of *Spain*) being reſolved not to enter into any particular ſepatate Treaties at all, nor would he be divided from his Allies, which muſt needs be, if the Treaty were removed to *Rome*, ſince that was a Place, the *Proteſtant* Allies would not come at. This I found by him, is to be communicated this Day (having come to them by the Letters of the 30*th* paſt, *N. S.*) to the Allies at their Aſſembly, then I am to have it imparted to me again by the Embaſſy; this Overture being, as he ſaid, only *en amy* from him.

From this he fell to diſcourſe of the *Franche Comte*, and of the Neceſſity of having it as a *Barrier* to ſo many Places, to the Princes of the *Rhine*, to the *Swiſſes*, to the *Milanez*, &c. but adjourned the further Diſcourſe of it to another Time, only deſiring me to prepare for the Deductions he will make me another Time, by looking upon that Country as it lies in the Map.

Just as I was cloſing, comes the Ambaſſador of *Denmark*, to impart to me, as he ſaid, the great Diſquiet he was in, upon the Foreſight he had of the Embarraſs that the firſt Viſits of Count *Antoine* would engage them the *Danes* in, either with the Mediators, or elſe with the *Imperialiſts*. He told me, their inward Devotion was, to pay their firſt Reſpect to his Majeſty, but the *Imperialiſts* do exact it from them, and do it with a high Hand at this Time, becauſe that they are in Alliance with them, and have Need of their Help. His firſt Propoſition was, whether I could think of any Expedient to get them out of this Difficulty; thoſe he propoſed were, that Count *Antoine* ſhould make his firſt Viſit in ſuch a Time, as I ſhould take Occaſion to ſtep out of Town, or ſo for half a Day, or elſe at a Time when I might be ſuppoſed to be indiſpoſed, and the Notification ſhould be given in that Caſe the ſame Time to me, as to the *Imperialiſts*.

I told him plainly, my Orders were preciſe, to pretend the firſt Notification before the *Imperialiſts*, and that I would give in to no Manner of Expedient.

Seeing this would not do, the next Thing he deſired me was, to write to Court about it, to ſee whether his Majeſty may pleaſe to think of ſome Temperament to help out the King his Maſter, that has all Honour and all Affection for his Majeſty; and that the Count *Antoine*, being certainly to arrive ſome Time this Week upon an Eſtate he hath in this Country, and within two or three Days after, to render himſelf in this Town, he hoped to prevail with him to defer his Appearance for ſome Days, tho' his Equipage be quite ready, in Hopes of ſome favourable Reſolution from his Majeſty.

In this Converſation, which was an Hour long, he entred ſeveral Times upon the Reaſon of the Thing, and the Inconvenience it would be; if an Elector, or the *Venetian*, ſhould take upon them the Figure of Mediators, they muſt have the ſupream Ranks; I kept my ſelf, as well as I was able, from engaging into the reaſoning Part, with obſerving only two Things to him.

The *one*, that his Majeſty pretended to no more, nay, not ſo much as his Miniſters had paid to the *Swediſh* Mediators, when he was Party to this War.

THE *other* Thing was, that if Count *Antoine* ſhould not give the firſt Reſpect to the Mediators in his Viſit, he would, by a Conſequence, (acknowledged of all Hands) as far as in him lay, ſet up the Emperor into another Rank than that of *Primus Regum*; and that I knew was contrary to M. *Heugh*'s Senſe, and contrary to the Intereſt of all Crown'd Heads in *Europe*. But when, to convince him, I fetch'd down our *Cologn* Inſtructions, and ſhew'd him (for he underſtood a little *Engliſh*) how poſitive and clear our Inſtructions were, not only to give the *Pas* and the Upper-hand, but alſo the firſt Viſit to the *Swediſh* Mediators, tho' we ſhould be the laſt Comers; and affirmed, that the Practice was accordingly; he was ſomewhat abaſhed, as who ſhould ſay, we had more to ſay and ſhew for ourſelves, than he thought we had had; and deſired I would give him a Tranſcript either in *French* or *Engliſh* of that Article, wherein alſo the Moſt Chriſtian King is averr'd to be of Concert with his Majeſty in the Thing.

HE objected to me, that the *Imperialiſts* had not given this firſt Reſpect to the *Swediſh* Mediators at *Cologn*; to that my Anſwer was, that I did not know what had paſs'd between them, but that I was pretty confident of two Things: The *one*, that the Emperor had never poſitively and abſolutely accepted the Mediation of *Sweden*; the *other*, that the *Imperialiſts* coming laſt to the Aſſembly, of all that had the Character of Ambaſſadors ſince we, and the *French* deferred willingly the firſt Reſpect to the Mediators; and ſince the *Dutch* could pretend to no Competition with them, nor the *Spaniards* neither, (being no *Ambaſſadors*, but *Envoyez*, and *incognito* all the while) there could be no Controverſy, but the firſt Notification was due to the Mediators; nor did there any Ambaſſador of a Crown'd Head come after to decide the Queſtion in Hand, between thoſe Ambaſſadors and thoſe *Imperialiſts*.

IN this Converſation M. *Heugh* told me, that he hath viſited the Biſhop of *Gurck en amy & en Allié*, without Ceremony; that he hath been prevailed upon by M. *Stradtſman*, to treat him when he ſpeaks to him in *High-Dutch*, *U furſtelyck Genade*, but that he will be content with that of *Excellence* when he is ſpoke to in the *French* Tongue; and that M. *Heugh* will uſe the *French* Language always in Ceremony and in Buſineſs; the Biſhop, he ſays, affects the *High-Dutch* Title mightily, and that he makes himſelf out to be in ſome Kind a Prince of the Empire, becauſe he hath the Direction of ſome Part of *Auſtria*, which though it be properly an Hereditary Country, yet the Arch-Duke having Voice and Seſſion in the Empire, this gives, it ſeems, ſome Colour of Title to the Biſhop. I am always, *&c.*

L. Jenkins.

Nimeguen, 16th Aug. 1677.

Right Honourable SIR,

SINCE my laſt, which was of the 13*th*, I have the Favour of yours of the 10*th* Current; and am to thank you, as I do moſt humbly, for the two Memorials of Count *Wallenſtein* in it, and your Anſwer upon them, which is exceeding great Light to me for my Government here.

ON *Monday*, as ſoon as the Poſt was gone, M. *Petcum* took an Hour of me, and told me, he found, by the Letters come that Day from *Denmark*, that the King his Maſter is very much importuned, and even

in Pain, with the Earneſtneſs that the *Imperial* and *Spaniſh* Miniſters (now in his Court) continually preſs him with, to accept of the Pope's Mediation. M. *Petcum* is perſwaded, (as he ſays, but hath no Orders to declare it) that if the King our Maſter would think fit to ſay ſo much, as that it would be an acceptable Thing to him, that the King of *Denmark* would ſtick to his Majeſty's Mediation alone, then that King would quickly throw off all Importunities, and excuſe himſelf from accepting any other Mediation but his Majeſty's; his Majeſty's Mediation being that he has moſt Confidence in, as M. *Petcum* told me, finding it ſo, as he ſays, by ſome of their very laſt Letters; nor would he excuſe himſelf from accepting the Pope's Mediation alone, but from that of *Portugal* too, with whom, he ſays, they have no Commerce.

I told him, I did not know any Thing of his Majeſty's Pleaſure in this Point, nor how far his Majeſty, being the General Mediator, might concern himſelf, ſo as to declare againſt the accepting of particular Mediations; the King of *Denmark*, as well as all the other Parties beſides, having in his very *Plenipouvoirs* reſerved himſelf the Liberty of Treating as he ſhould think fit, either by ſuch Mediators as ſhould be received, or elſe directly between Miniſters and Miniſters.

I asked him upon this Occaſion, What he thought *Sweden* would do? Whether they would accept the Papal Mediation? He told me, he thought they would not; nay, they would make great Advantages of the *Danes* accepting of it, among all the Proteſtants in *Germany*. Then I asked him, What the *Dutch* would do? He told me they could not be prevailed upon to accept it. I asked him, What Guaranty the Pope would probably give, for any Peace that ſhould be made in the *North*? And afterwards left him to make his own Concluſion. Which indeed he did: That the Papal Mediation was not worth accepting, nor in any Degree for their Turn in *Denmark*: He preſſing much that I would write, but withal deſiring me that I would give him alone the Anſwer, and not to M. *Heugh*; the engroſſing of this Buſineſs to himſelf, I muſt confeſs, I do not well underſtand; M. *Heugh* having been with me but a very little while before, and not mentioning any Thing of this; only I am apt to think, his *Attache* is altogether to C. *Antoine*; and how good an Underſtanding there will be between the Count and M. *Heugh*, (which I have ſome Reaſon to doubt of) a little Time will ſhew.

The ſame Evening I went to the Allies at their Aſſembly, and made my Report of the Anſwer of the *French* Ambaſſadors upon the *Lorain* Propoſition: Some Reflexions they offered at upon the Words, *Vos Excellences & tous les autres Alliez*; obſerving, that the *French* in thoſe Words meant thoſe that have not appear'd here to this Day; and that if they muſt be ſtayed for, would be a putting back of the Treaty for a very long while: Beſides, M. *Kinski* was troubled, that there was a Clauſe in it about the Biſhop of *Strasburgh*; but he (according to the Superintendency he ſtill pretends to) put a Stop to the Debate, and ſaid, they muſt conſider it among themſelves. When I had made the Report by Way of Diſcourſe to them, they deſired me to dictate it over again, which I did without making any Difficulty to comply with them, the *Imperial* Secretary being called in, to ſet it down as I did dictate it.

On *Tueſday* the *Spaniſh* Ambaſſadors took an Hour of me, their Buſineſs was, as they told me, to make a Report of an Advice they had had lately from their Court. M. *de los Balbaſes* made firſt the Narrative of it, but *Don P. Ronquillo* and M. *Chriſtine* (not eaſily agreeing how

how and where to begin their Report, nor what Words to uſe) refined upon it ſo much, and ſo often, that I thought it would beſt pleaſe them, as it did, that I ſhould take it in Writing (one Clauſe after another) as they ſhould agree it; it was at laſt not only to this Effect, but in theſe Words:

— *Que M. le Duc d'*Eſtrées, *Ambaſſadeur de* France, *avoit offert au Pape de Traiter la Paix à* Rome *ſous ſa direction, & avoit parlé à même effet au premier Miniſtre du Pape au Cardinal* Cibo.

— *Que cette affaire ayant eſte communiquée par le Pape à M. le Marquis del* Carpio, *Ambaſſadeur d'* Eſpagne, *il avoit repondu, qu'il n'avoit ny Ordre de ſa Cour, ny Pouvoir la-deſſus.*

— *Que quelque temps aprez ledit D. d'* Eſtrées *ecrivit juſques à trois Billets audit Marquis, offrant encore de traiter tête à tête avec luy, & s'expliquant dans un de ces Billets, qu'encore que ſon Pouvoir n'eſtoit que de Traiter ſous la direction du Pape, qu'il eſperoit pourtant de recevoir d'autres Pouvoirs par le Cardinal ſon frere, quand il ſeroit de retour de* France, *pour Traiter tête à tête avec luy ledit Marquis del* Carpio, *& d'avantage ſi le Cardinal differoit ſon Retour, il feroit venir des Pleni-pouvoirs à cet effet avec plus de diligence.*

— *Que M. le Marquis del* Carpio *ayant mandé ce qui eſt deſſus en Cour, & ſupplie d'avoir les Ordres de ſa Majeſté Catholique là-deſſus, ſa dit Majeſté repondit, qu'il y etant un Congres & des Traitez commencez à* Nimegue, *ou il y avoit même un Miniſtre Mediateur de la part du Pape & ou eſtoient aſſemblez tous les Alliez, que ſa Majeſté Catholique ne vouloit pas ſe ſeparer de ſes Alliez, & encore moins de la Mediation du Roy de la* Grand Bretagne, (the Words *encore moins*, M. *de los Balbaſes* uſed in his firſt opening the Thing, but thoſe that they agreed in when they came to dictate were) *ny bleſſer en rien la Mediation du Roy de la* Grand Bretagne *que ſa Majeſté Catholique deja acceptée.*

— *Qu'en outre le ſuſdit Marquis del* Carpio *avoit eu ordre de coupper court ce Commerce avec le Duc d'* Eſtrées, *pour un Traité ſeparé à* Rome, *& de ne ſe charger plus d'ecrire à la Cour de* Madrid *ſur ce ſujet.*

This I took in Writing from their Mouths, as they were pleaſed to agree it; but by the firſt Paragraph (as it is here dictated) the Propoſition is firſt made to move directly, and in the firſt Place, from the *French* Ambaſſador, and not from the Pope; and I did put them to it as Home as I could upon that Point; having apprehended it, as *Don P. Ronquillo* told me the Story, which is in my laſt, to have moved from the Pope firſt; ſo that I muſt beg your Pardon, if I have not rightly underſtood *Don P. Ronquillo*; you know his Way of expreſſing himſelf in *French* is not ſo clear.

They deſired my beſt Offices in repreſenting this to his Majeſty, as an eminent Inſtance of that Confidence and Reliance that the King their Maſter hath in his Majeſty's Friendſhip, and in the great Equity as well as Efficacy of his Majeſty's Mediation.

The Solemnity wherewith they communicated to me this Thing, and the Earneſtneſs wherewith they required my Care in it, makes me ſuppoſe that they will expect from me that Account of my Diligence, as to be able to tell them, the Thing has been laid before his Majeſty; and withal to give them ſome Anſwer, ſuch as it ſhall pleaſe his Majeſty to make upon it, which I do moſt humbly ſubmit to.

The ſame Evening, as ſoon as theſe Ambaſſadors were gone, the Biſhop of *Marſeilles*, who had arrived here late the Night before, gave me the Favour of a Viſit. I had ſent a Gentleman to complement him in the Forenoon, upon Notice given me, by a Gentleman of M. *d'Avaux*'s

d'Avaax's Retinue, that he was arrived, and had taken up at his Houſe. In his Complement, he ſaid, he had made that *Pas Extraᵉ.* out of the Reſpect he had for his Majeſty as a Great King, that labours ſo heartily in the Peace of *Chriſtendom*, and in whoſe Zeal and Affection the King his Maſter has all the Satisfaction and Confidence poſſible.

I returned him his Viſit as ſoon as Acceſs could be had to him yeſterday (being a great Holy-Day with them): I am informed he had ſeen the Nuncio before, but none elſe. When he went from me on *Tueſday*, he took a Turn about the Town with M. *d'Avaux*, but afterwards they came and lighted at the *Daniſh* Ambaſſadors, where the Aſſembly of Ladies happened to be at their uſual Divertiſement.

M. *Beverning* viſited him yeſterday at five, and the Biſhop was to return the Viſit, as M. *Beverning* told me, at 8. I do not hear of any other Viſits made him; 'tis ſaid he will be going within a Day or two hence, to ſee *Amſterdam* and other Parts of *Holland*.

YESTERDAY in the Evening, I had another Conference with M. *Beverning* about Prince *William*, he having ſent me a little before the Reſolution of the States of the *9th* of *April* 1675, which goes herewith incloſed; there is not much in it, as it happens, for our Turn; but he told me, that having written to the Penſioner at large about it, the Penſioner had anſwered, that he was confident there was among his Papers, ſome Declaration or Signification of the *Imperial* Miniſters to the States, that was much fuller in the Point than that of the *9th* of *April* is; that he would ſearch for it, and if he can find it, ſend it him; ſo that M. *Beverning* and I reſolved it beſt to ſtay, till he heard further from the Penſioner; but it was his Wiſh, that the *French* might be prevailed with to forbear any Mention of Prince *William*, they having brought Embarraſs enough upon the Allies, in the Inſtance they have made for the admitting of the Biſhop his Brother into the Treaty.

M. *Beverning* expreſſed a great Longing, that the Biſhop of *Gurck* would act and appear in Publick, and take the Buſineſs out of M. *Kinski*'s Hands, who, he ſays, ſpoils all, partly by his *Chicane*, and partly by his *Inexperience*. One Inſtance he gave upon Occaſion of the Clauſe touching the Biſhop of *Strasburgh*, which was in my Report on *Monday*, of the Anſwer of the *French* to the Allies; for of all the Offices I had paſſed with the *Imperialiſts* (as my Directions were) from their adverſe Party, (I mean the *French* and M. *Ducker*) they, the *Imperialiſts*, never ſpoke of it to the Allies; which if they had done, they, the Allies, would have endeavoured to have prevented it from coming on at this Time, to make another *Accrochment* in Conjunction with that of *Lorain*.

M. *d'Olivenkrantz* was with me laſt Night, (his Collegue being at this Time out of Town and at *Amſterdam*) to acquaint me, that they muſt be forced to renew their Complaints by Memorial, that they are ſtill debarr'd all Liberty of Commerce with their Court by Letters or Couriers; that whatever the other Parties do in Treating, (as 'tis hoped they may 'ere long enter into Buſineſs) it will not be ſafe for them, the *Swedes*, to take upon them to treat, when they cannot write to their King; and how unwilling the *Danes* are they ſhould come on to treat, he would have it obſerved out of the laſt Letters that were intercepted in a *Dutch* Galliot, for in thoſe Letters their *Plenipouwoirs* in the common Form were ſent them, and they are detained by the *Dane*.

I humbly take Leave to ſend incloſed, the Propoſition of a Miniſter in this Country, to impart a *Secret* uſeful in Navigation that he has found

found out; he has purſued me much with it, but I can ſay no more on the Subject, but what the Paper itſelf contains. I am ever, *&c.*

L. Jenkins.

Nimeguen, 20th Aug. 1677.

Right Honourable Sir,

My laſt was of the *16th*, ſince which I have not any from you to acknowledge.

On *Monday*, M. *Heugh* having taken an Hour of me, acquainted me how that the *Spaniſh* Ambaſſadors had, in the laſt Aſſembly ſave one of the Allies, communicated to them, that their Maſter had accepted the Mediation of the Prince Regent of *Portugal*. He added, that their Account of it was conciſe, and touched not at all upon thoſe Circumſtances that are generally reported, of the Menaces uſed by *Portugal*, before their Mediation was received.

That the Duke *de Villa Hermoſa* had writ to the King of *Denmark*, and the Elector of *Brandenburgh*, to the ſame Effect, deſiring that they would, as his Maſter had done, accept likewiſe of the Mediation.

That the King of *Denmark* had anſwered in general Terms, with ſaying, that he would be forward to concur with the common Meaſures that his Allies ſhould think fit to take, yet not declaring his Acceptance or Refuſal; but that he had upon this Occaſion ſent to him, his Ambaſſador here, to ſee if he could diſcover how his Majeſty ſtood inclined, as to the admitting or not admitting of this Mediation, into a kind of Partnerſhip with him. That he finding I did not take upon me to know any Thing of his Majeſty's Thoughts in this Point, deſired I would uſe the beſt Means I could, to come to the Honour of ſome Light of them, ſo as I may impart the Thing to him in Confidence, ſince the King his Maſter will be very much determined, by what he ſhall know of the Gratefulneſs, or otherwiſe, of this Conjunction to his Majeſty.

That as he did believe his Majeſty might be pleaſed not to make any expreſs Declaration in this Point, ſo he did hope and deſire, that the Way I ſhould take to endeavour to penetrate into this Affair, may be ſuch, that M. *Heugh*'s moving in it may be only known to his Majeſty, and not get Abroad, ſo as it may be hereafter objected, that the King his Maſter did ſeek out Ways to avoid the Mediation of *Portugal*; and in this, as he deſired my Offices, ſo he required my beſt Diſcretion in managing the Secret, which I make no doubt but you will pleaſe, Sir, ſo far to cover, as his Majeſty ſhall judge the Nature of the Affair to require.

He extreamly bemoans the Misfortune of the King his Maſter, that a Captain of a *Daniſh* Man of War had met with ſome Letters going to his Majeſty, and had been ſo inſolent as to break them open. He did deſire I would touch one Word of it, as to ſay in his Name, that he has all the Aſſurance imaginable, that nothing can be more diſpleaſing to his King, and that the Captain ſhall be either made an Example of by him, or if his Majeſty ſhould deſire it, be ſent into his Hands, he being certain the King of *Denmark* will enter into any Methods that are capable to expiate ſuch an Abſurdity.

Yester-

YESTERDAY M. *Cannon* was with me, to lament (as he did very much) his Misfortune, to be the only Miniſter here that can have no Manner of Anſwer to his Propoſition, whereas all the other Parties have had long ago not only *Contredemands* to thoſe they had given in, but alſo Anſwers upon them, either in Writing or by Word of Mouth.

HE ſpoke likewiſe of the great Reſpect the Duke his Maſter has for the Moſt Chriſtian King; and that he is a Prince, that if he may enter into his Eſtates, will give all Demonſtrations poſſible of it, and will manage the Friendſhip and Protection of *France* with a Gratitude anſwerable.

THIS he gave me Commiſſion to ſay to the *French* Ambaſſadors upon Occaſions: Hereupon I acquainted him, that the *French* Ambaſſadors did take Exceptions, that his Maſter's Affairs were managed, not ſo much by himſelf as by the Body of the Alliance; they had not, I told him, charged me with that as Part of their Anſwer to the Allies, but that I perceived by their Diſcourſe, it was one of the Things ſtuck with them.

THAT if he took his Affairs wholly into his own Hands, and proſecuted them as other Miniſters do, I thought he might as well govern himſelf by their Councils and Directions, as he does at this Time, and in the End have as full a Benefit of their Support in the main, which is not to conclude their own Treaties before his Maſter be ſatisfied.

THIS he was eaſily convinced of, and, to my ſeeming, would be willing enough to ſet up as it were for himſelf; but then muſt do it with the good Liking of thoſe that have his Affairs hitherto in their Hands, and could not expect their Leave and Liking, unleſs he might be ſure to ſucceed better in managing his own Affairs, than they have done hitherto; and therefore he told me, that if the changing of the preſent Method, would give him in any wiſe Advantage or Furtherance, it ſhould go hard with him but he would get Leave to do it.

HE was no ſooner gone, but M. *Colbert* coming to me upon an ordinary Viſit, I had the Opportunity to lay before him, much of this that related to *Lorain*. His Reflexion upon M. *Cannon*'s particular Concern and Anxiety was, that tho' he had no Anſwer, yet his Affair was as forward as any other Miniſters here; and that *France* pretended to do in that Buſineſs, as they had formerly done in the *Pyrenées*, to treat it not as the principal Matter, *mais comme un acceſſoire*.

THAT as for the Duke of *Lorain*'s Perſon, his *Attache* was ſo great to the Houſe of *Auſtria*, that they could not hope otherwiſe of him, than of a Prince that would be always contrary to the Intereſts of *France*. That as to his Country, it was of the ſame Conſequence to them, and as formidable to the Heart of *France* on that Side, as *Cambray* was on this.

FROM this Subject, he paſſed to the making of the Peace in the general, which if it cannot be done this Winter, he feared, he ſaid, it would be a very long while a doing; he added, that *la Politique du Roy ſon Maitre*, did diſpoſe him now to make a Peace, that his Arms are in a flouriſhing Condition; but that to expect or think he ſhould reſtore Places of Importance without an *Equivalent*, will be in vain; all Treaties being ſtill made, as the Fortune of the War happens to be advantageous or otherwiſe to the Treaters.

HE told me, that Meſſieurs *de los Balbaſes* and *Ronquillo* had, in particular Converſations with him, told him, they would never be brought to ſign any Treaty *desavantageux* to their King; and that he had replied, that Word is of great Latitude, and muſt receive its Conſtruction

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du ſort des armes, which was the general Meaſure of Advantage or Diſadvantage, whenever a Peace is treated of.

That to this they had taken Exceptions, and ſaid it was not ſo in the Peace of *Vervins*, where *Philip* II. had reſtored a great many Places to *France*, at a Time when his Arms were in a Condition to advance further, rather than go backward.

That he replied upon this, *Philip* II. had then a Motive that brought him to it, which was no leſs powerful than a loſing Game; for finding himſelf of great Age, and declining, he thought it more eligible to make a Peace upon any Terms, than to leave his Son, who was yet a Minor, in Danger of being expoſed to what King *Henry* IV. of *France* might have acted upon him, in that Courſe of Proſperity and high Repute, that the *French* Arms were then in; that the Moſt Chriſtian King is at this Time in Circumſtances very different from thoſe that *Philip* II. was in at the Peace of *Vervins*, and having nothing of that which *Philip* II. had to apprehend, has no Inducement to make Reſtitutions, as he did.

This Morning M. *d'Eſtrades* took the Pains to come and tell me, he had Orders from his Court, to make an Acknowledgment here of the Juſtice that his Majeſty had done them, in admitting of the *Eclairciſſement* they had come to with me, about the agreeing to the *Dutch* Treaty of 1662, *en tous ſes points*. He enlarged much upon their being in *bonâ fide*, and that it was hard to imagine, that having no other Articles but thoſe touching the Commerce conveyed by us into their Hands, that they ſhould declare an Acceptance of the Articles relating to a *League*, that had never been propoſed to them; however, that that Affair is by his Majeſty's Royal Goodneſs well over.

He having promiſed me (now above a Week ago) to give me Part of what they ſhould learn concerning the Viſits of the Biſhop of *Gurck*, and having heard nothing of them, I took Occaſion to touch upon that String: He told me, they had heard nothing ſince, but expected to be informed this Day of what was like to be reſolved; that he cannot imagine there can be any Difficulty that will concern me, ſince he takes it for granted, that I ſhall have the firſt Notification before all other Ambaſſadors, excepting, he ſaid, that which all thoſe of their Religion muſt perform to the Nuncio: But I could perceive by him, there hath been a Negotiation on Foot all this while, to bring Meſſieurs *Kinski* and *Stradtſman* into a Participation of that Commerce, which the Biſhop's Viſit of Ceremony will open between him and the *French*. He told me, M. *Kinski* had propoſed, that they, the *French*, ſhould make him a Viſit, as to the laſt Comer in Reſpect of them, but that they cannot do it: — *le Roy ne l'entend pas comme cela*; however, if Count *Kinski* will come and viſit them, they would, he ſaid, receive him.

Some Days ſince, Mr. *Chudleigh* happening to fall into Diſcourſe with M. *de Main*, a Kinſman of M. *Colbert*'s, of the Affairs of the Campaign, and of what happened at *Charleroy*, and from thence ſpeaking of the Report which is ſo general in this Country, and ſo very unjuſt to his Majeſty, as if my Lord of *Oſſory* had been ſent over, expreſly to endeavour the raiſing of that Siege; M. *de Main* ſaid, that if M. *Hulf*, Secretary to the *Dutch* Ambaſſadors, had affirmed it with this Circumſtance, that the Prince of *Orange* having in the Morning held a Council of War, wherein it was reſolved to give the *French* Battle; his Highneſs had afterwards changed his Reſolution, upon a particular Conference that he had with my Lord of *Oſſory*. I am always, *&c.*

L. Jenkins.

Poſtſcript.

Right Honourable SIR,

AFTER the cloſing of this Day's Diſpatch, I am forced to trouble you again with the Memorial incloſed; both the *Swediſh* Ambaſſadors having brought it me juſt as the Poſt is going away, but preſſing me to make Uſe of this Opportunity, moſt humbly to lay it before his Majeſty.

THEY tell me, it is for the Liberty of their Commerce with their Court, and they ſay they muſt leave this Place unleſs they may obtain it; it being contrary to all Reaſon, as well as to their Inſtructions, to take upon them to treat, while the Liberty of correſponding with the King their Maſter is refuſed them.

THEY have deſired my Offices, to preſs the Contents of this Memorial at the next Aſſembly of the Allies; they ſee it cannot be done this Day, for they are met by this Time; beſides, they tell me the *French* Ambaſſadors have promiſed to come to me, and ſecond this Inſtance; and they think it is for their Advantage that ſhould be done, before the Thing be repreſented to the Allies.

L. Jenkins.

Nimeguen, 23th Aug. 1677.

Right Honourable SIR,

MY laſt was of the *20th*, ſince which I have not the Favour of any from you to acknowledge.

TO that Diſpatch I was forced to add a *Poſtſcript*, and therein to incloſe a Memorial which the *Swediſh* Ambaſſadors brought me, juſt as the Poſt was going; they deſired it might be laid, the ſooneſt I could convey it, before his Majeſty; the Contents of it importing them extreamly; and that I ſhould communicate it to the Allies at their Aſſembly, which is to be this Afternoon; hoping that in the mean time, the *French* Ambaſſadors would have a Conference with me, and ſecond the Demands made in the Memorial.

ON *Tueſday* the *French* Ambaſſadors, at an Hour they had taken of me, acquainted me, how they were engaged in Alliance to ſecond thoſe Deſires and Demands the *Swedes* had put into my Hands, in a Memorial of the Grievances they ſuffer from the *Dane*: They ſpoke of the Eaſineſs wherewith the King their Maſter had offered an Equivalent to the *Spaniards* of paſſing through *France*, provided the *Swediſh* Couriers might paſs through *Denmark*; but that nothing of that would be hearkened unto: That which they enlarged moſt upon was, the taking of the *Dutch* Galliot by the *Danes*, in which there were not only a Set of Coach-Horſes for M. *Oxenſtiern*, but alſo Bills of Exchange, and Proviſions of ſeveral Sorts for the two Ambaſſadors and their Retinue; and, which was yet of more direct and immediate Importance to the Treaty, there were taken in that Galliot the Letters and Orders of the King of *Sweden* to his Ambaſſadors, the *Plenipouvoirs* that he ſent them according to the new Form agreed on, as alſo particular Inſtructions upon the Project for a Treaty of Commerce, that the *Dutch* Ambaſſadors gave in for *Sweden*, at the ſame Time they gave in that other

other for *France*; that all this being taken away, the *Swediſh* Ambaſſadors are diſabled not only to negotiate, but alſo to ſubſiſt in this Place.

That between the *Spaniards* and them the *French*, there are no ſuch Doings, the *Spaniards* ſhewing all Eaſineſs and Civility poſſible towards the *French* Ambaſſadors, in every Thing that concerns their Perſons, their Reſidence, or their Domeſticks here; giving all Credit to the very Certificates of the *French* Ambaſſadors, touching their Domeſticks and their Proviſions that are to paſs through *Flanders*, and they on the *French* Side doing the like towards the *Spaniards*.

I took Liberty hereupon to obſerve to them, that there were ſome Words of Sharpneſs in their Memorial, which I thought incumbent upon me to repreſent unto the *Swede* Ambaſſadors, and to deſire they would change them into ſuch as there would be no Colour to except againſt, before I ſhould give it in to the Allies; for otherwiſe it would be an Engagement upon the adverſe Party to return the like Sharpneſſes again, and ſo our Buſineſs would come at laſt to be more of Declamation and Invective, than of Negotiation, tending directly to the End we all aim at.

This they told me I might very well do, when I was to deliver a Meſſage by Word of Mouth from one Party to the other; but when the Parties have reduced their Pretenſions into Form, by Way of Memorial or Writing, they ſaid the Mediators were to deliver it in as they ſhould be deſired, without concerning themſelves in the Language.

To this I told them, the Practice of Mediators had been otherwiſe in other Places, and I happening to be alone upon the Place, thought it ſafeſt to keep to that Practice, until I might know his Majeſty's Pleaſure in the Thing, or elſe that my Collegues do return, unto whoſe better Judgment I ſhall have all Deference poſſible.

Yesterday in the Afternoon I waited upon M. *Oxenſtiern*, and ſhewed him ſeveral Clauſes, that had nothing but ſharp Language in them, and might be well left out, without diminiſhing in the leaſt the Force of their Argument.

He ſaid, he and his Collegue, who is now out of Town, had very maturely conſidered, not only of the Reaſoning, but of the very Words too, and that they did not find it poſſible for them to expreſs the *coarſe* Treatment they have met with in ſmoother Language.

In that I quoted to him the Example of *Munſter*; he oppoſed to it the Practice of their Ambaſſadors, being Mediators at *Cologn*, who had not refuſed to hand any Writing, tho' never ſo ſharp, between one Party and the other.

To that I had to ſay, that I did remember well, how you and I received their Judgment and Advice in a Caſe of our own; it was, when the *Dutch* Ambaſſadors writ us a Letter, to engage us in that Way of Treating by Letter with them, that there being ſome Expreſſions in that Letter that might have tempted us to ſome Sharpneſs in the Anſwer, it was their Advice that we ſhould not engage in Writing, nor ſo much as anſwer that Letter by another addreſſed to the *Dutch*, but write a Letter to them, the Mediators, wherein we ſhould deſire them to excuſe us to the *Dutch* Ambaſſadors, for not returning our Anſwer by a Letter directed to them, and to ſay, we declin'd to do it, for no other Reaſon, but for Fear we ſhould fall by Degrees into Sharpneſſes of Language; and when this Apology was made, that we ſhould ſpeak as we ſhould ſee Cauſe to the ſeveral Points, and the Reaſonings advanced by the *Dutch* Ambaſſadors; that you and I followed this Advice, and that I thought, that if we had gone by Way of Me-

morial, with ſharp Expreſſions in it, thoſe Mediators would rather have followed the Example of *Munſter*, than have complied with us, in handing it to the *Dutch* Ambaſſadors, and conſequently heightning the *Aigreurs* between us and them.

M. *Oxenſtiern* told me, the Truth was, they had no great Hopes of having any good Effect in their Applications, therefore that they intended this Memorial to go further, both for their Complaint to all the World, and for their Juſtification, in Caſe they leave this Place; which, he fears, they muſt do, and that their King muſt give over his Thoughts of Treating, and betake himſelf to make the beſt Defence he can by his Arms, and leave the Iſſue to God Almighty.

Besides the ſharp Expreſſions in this Memorial, I had two Things more to offer to his Conſideration, ſuch as met with great Scruple in me; the one was, that there were ſeveral Clauſes in it, wherein the States General were mentioned, and therefore deſired the Liberty to ſhew them to M. *Beverning*, before the Memorial were put into the Allies, leaſt he (who is otherwiſe a very hearty Friend to their Demands of Liberty to their Couriers and Letters, and one that is extreamly ſenſible of the ill Effects the taking of the *Dutch* Galliot has) might complain of a Surprize in the Thing.

Another Thing that to my Apprehenſion directly concerned his Majeſty, and rais'd in me a very great Trouble of Thoughts was, that in his Name, we ſhould demand a juſt Satisfaction from the *Danes*, for ſo many Injuries done to this Congreſs: What, and how many thoſe Injuries are, and what will amount to a juſt Satisfaction, I told him, I durſt not take upon me by any Means to determine.

Another Thing was, that the Mediators would ſuffer the Affairs of all the other Parties to ſtand ſtill, till Right were done to them, the *Swedes*, in their Demands. This, I told him, I did not underſtand neither; and that his Majeſty's Inſtructions will be neceſſary for my Collegues when they come, and my ſelf, what to do, in Caſe other Parties ſhould require our Offices while this Affair between them and their adverſe Party is depending. This, he ſaid, he would take Time to conſider of, and would ſleep upon it this Night, ſaying, he did reckon it his Misfortune, that his Collegue was now away, as I did that mine are not return'd.

My humble Suit to you, Sir, is, that ſince this Memorial is dreſs'd rather in Contemplation of a Breach, than in Hopes of the Satisfaction demanded, whether I ſhall give it in, without having the harſh Expreſſions in it left out, or chang'd into ſmoother: Another Thing is, that you will, I ſuppoſe, think neceſſary for us here to know, what his Majeſty's Reflexions and Pleaſure is upon thoſe two Points: The *one*, of demanding Satisfaction from the *Dane* to the whole Congreſs, which I muſt confeſs I do not underſtand; the *other*, of our ſuperſeding the Duties of our Function towards the other Parties, while this is depending.

I have the more Anxiety in this, in that I find the Secretary of the *Swediſh* Embaſſy ſpeak more openly, that they muſt, and will be gone from this Place, if they have not Satisfaction upon this Memorial; and that the *French*, which I ſhould not have expected, have preſſed me to deliver in the Memorial as it was given me.

The *French*, without Doubt, do know more than I do, of what the *Swedes* intend to do upon the Succeſs of this Memorial; (of which there is nothing to me that appears very promiſing) but this I have Reaſon

to

to doubt, that if the *Swedes* ſhould be gone, the *French* would treat no longer; I ſuppoſe they are bound to do ſo, if not by the Words, yet by the Equity of the Treaty of *Paris*; and then, I dread to think what will become of all the Pains his Majeſty has taken, in forming of this Aſſembly.

You ſee, Sir, into the Importance of the Matter, further than I do; and conſequently will judge what Inſtructions will be neceſſary for us to prevent this Breach, which God forbid ſhould follow. The Words of the Memorial, I take moſt Exceptions to, I take leave to ſend in a ſeparate Paper herewith encloſed.

Having writ thus far, comes in the *Lunenburg-Zell* Miniſter, to take his Leave of me, being to go to the *Hague* for a few Days: I found by him, that the Matter of Character and Rank of Ambaſſadors, that his Maſter, and other Princes of *Germany*, pretend to, will not be waved. The Son of M. *Schultz*, Chancellor to that Duke, was intended for *England*, with a Character to ſollicit that Affair with his Majeſty; but the Father being newly Dead, the Son's Voyage is ſtopp'd.

M. *Muller* ſpoke with ſome Indignation of the little Book, lately printed in Favour of the *Electoraux*, offering at ſome little Reflexions upon the Writer, as having advanced ſome Things wherein he was not well founded: He ſaid, his laſt Orders were not yet come, and ſeemed to intimate, that thoſe would be, when they came, relating to the Pretenſions of the Princes to be equal to the Electors in all Things but the Right of Electing Emperors, which the Princes have yielded to them, ſaying, that his Maſter, and their whole Houſe, have a particular Confidence in his Majeſty's Equity and Support.

As I am cloſing, I happen to have Occaſion to ſpeak a Word with M. *d'Eſtrades*. He tells me, that he and his Collegues had underſtood from M. *Oxenſtiern*, that I made a Difficulty to deliver in his Memorial, as it is now dreſs'd, without his Majeſty's Orders: That he, M. *d'Eſtrades*, had delivered his Opinion to his Collegues, that I had Reaſon *puiſque ce Memoire va directement rompre cette Aſſemblée*; that his Collegues were gone to adviſe upon this Incident with M. *Oxenſtiern*; that he approved of the Temperament I had offer'd to come to, which was, to do my Offices by Word of Mouth with M. *Heugh*, for the Reſtitution of the Things taken in the Galliot, and to wait for his Majeſty's Pleaſure and Directions upon the Memorial.

The Marſhal told me, (but in Confidence) that the Nuncio's Auditor hath juſt now acquainted them, the *French* Ambaſſadors, that the Biſhop of *Gurck* would very ſpeedily notify his Arrival to the Mediators and the reſt of the Ambaſſadors, but not at all to the *French*, being contented to be at the ſame Diſtance with them, that his Collegues M. *Kinski* and M. *Stradtſman* were. He told me, there had been ſome Overtures of an Accommodation between them, and they were willing to ſee M. *Kinski* at the Biſhop of *Gurck*'s, and to receive him with the Biſhop, when the Viſit was return'd; but he ſtood upon it, to have a particular Viſit from the *French*, and that they refuſed to give him. I am always, *&c.*

L. Jenkins.

Nime-

Nimeguen, 27th Aug. 1677.

Right Honourable SIR,

MY laſt was of the 23*d*; ſince which, I have not the Favour of any from you to acknowledge.

ON *Friday* in the Evening, Meſſieurs *Kinski*, *Heugh*, and *Somnitz*, took an Hour of me, and as from the Body of their Alliance. Their Buſineſs was, to deſire my further Offices in Order to obtain an Anſwer from the *French* Ambaſſadors to the *Lorain* Propoſition.

M. *Kinski*, after he delivered the Meſſage by Word of Mouth, told me, he had the preciſe Words the Allies had charged them with in Writing; and deſired me to take them from him, as he ſhould dictate them; the Words were theſe.

— *Les Inſtances de leurs Excellences Meſſieurs les Ambaſſadeurs des Alliez, portez ce 3me Septembre* 1677 *ſont en effet.*

— *Que ſon Excellence M. l'Ambaſſadeur Mediateur* Jenkins *leur à porte le* 23 *d'Aôut paſſé un dire de la part de leurs Excellences Meſſieurs les Ambaſſadeurs de* France, *qui ne contient pas la Reponſe ſur la Propoſition du Miniſtre de* Lorain. *C'eſt pourquoy ils reïterent leurs Inſtances audit Ambaſſadeur, afin que par l'interpoſition de ſes Offices de Mediateur, il veüille moyenner que la ſuſdite Reponſe ſur la Propoſition du Miniſtre de* Lorain *ſoit delivrée de la part de Meſſieurs les Ambaſſadeurs de* France *ainſy qu'ils ont promis par la bouche dud^t Ambaſſadeur & par celle de ſon Excellence M. l'Ambaſſadeur* Temple *ſon Collegue.*

HAVING taken theſe Words in Writing, the Conference was quickly over; for they told me, they would not take upon them to furniſh Reaſons to enforce this Deſire of the Allies; the Thing, they ſaid, ſpoke clear and loud of itſelf, and they founded themſelves principally upon the Promiſes that the *French* had made them by us the Mediators; only they obſerved to me, (but they ſaid, it was by Way of Diſcourſe only) they did not well comprehend, how the *French* could ſay, (as they did in their laſt Anſwer) that the Miniſter of *Lorain* was as much advanced in his Buſineſs, as any other Miniſter here whatſoever, ſince all the other Miniſters have had Counterpretenſions given in to their firſt Demands, and alſo an Anſwer upon thoſe Demands, the *Lorain* Miniſter having not had hitherto either the one or the other.

YOU will probably take notice, SIR, that M. *Somnitz* was one of the Deputies in this Conference; whereas, in all theſe Deputations hitherto, one or the other of the *Dutch* Ambaſſadors appeared in Conjunction with the Ambaſſadors of the Emperor and of *Denmark*.

M. *Beverning*, in a Viſit I gave him next Day, asked me, whether I was not ſurprized at this Change, and gave me this Reaſon for it, that he had quite broken with the Allies upon that Point, it being his Judgment, that the Allies do ſpoil the Affair of *Lorain* and their own, in this Way of managing it; for they might aſſiſt him, he ſaid, with their Counſels, without this formal appearing for him; and thus he was willing to do ſtill; nay further, he was ſure his Maſters would not conclude with *France*, till the Duke of *Lorain* were ſatisfied; but he is reſolved to go on no longer in the managing of the *Lorain* Propoſitions and Demands, which is properly the Work of the *Lorain* Miniſter; and he wondred, he ſaid, very much, that M. *Somnitz* having kept him-

himſelf out of this Embarraſs hitherto, ſhould now engage himſelf in it, without Proſpect of doing any Good. He deſired me, that when I ſhould make my Report to the *French* of this Deputation and Demand of the Allies, I ſhould let them ſee by the by, that it was not he, but M. *Somnitz*, that made the third Man.

I am apt to think the *French* and he had had ſome Diſcourſe together upon this Point, for he told me the *French* complain'd of the Manner that the Allies take, to eſpouſe the *Lorain* Cauſe; however, 'tis certain, that in the laſt Aſſembly of the Allies, (which was on *Thurſday*), he was very free and open in declaring his Diſſent from them; for M. *Cannon* having been with me on *Friday* Morning, to acquaint me that there was ſuch a Deputation to come, and to know of me whether I would adviſe him to take his Maſter's Buſineſs out of the Hands of the Allies into his own; he told me M. *Beverning* was of that Opinion, and that he declared to them plainly, that he would go no longer upon ſuch Commiſſions; that his Maſters would be true to their Engagements to *Lorain*; and that excepting *Lorain* and *Spain*, his Maſters were under no Obligation to procure the Satisfactions pretended by the other Allies, or ſomewhat to that Effect: M. *Cannon* touching this laſt only by the by, and ſaying, that M. *Beverning* had expreſly enough own'd their Engagements to *Lorain*, *au fonds de l'affaire*; but refuſed to joyn with the Allies in the managing of thoſe Pretenſions.

In this Converſation with M. *Beverning*, he told me, he goes ſometimes to the *Spaniards*, and hath been lately with the *French*, and in all his Converſations he does endeavour to ſound the Fords, and diſcover how near they may be brought together; but if he could make up his own Buſineſs, he would then, he ſays, ſpeak more Home to his Allies; nor is his own Buſineſs ſo far from a Cloſe with the *French*, but he may 'ere long be in a Condition to do it, for that a few Expedients would ſettle all. The Article of the 50 *Sols per Tonneau*, will, as it is now couched, be a great Grievance to them, in Regard of the Exactions and Cavils of the *French* Officers about the Burthen of their Ships; therefore it is neceſſary to have it marked upon the Maſt, or ſome other conſpicuous Place, how many Tons each Ship is of: And for the *Tarif*, unleſs it be brought lower than it hath been of late Years, there is nothing that they can carry out of their Country into *France* but with Loſs; and he ſays, it is certain they import *Ten Millions of Guilders* yearly of *French* Commodities into theſe Countries, and do not export a fifth Part of that Value, and vend it in *France*; but their great Exceſs, he ſays, is in the Import of *French* Wine, which they have no Way poſſible to remedy; but that which may be wiſh'd, but cannot be hoped for, that all theſe Countries ſhould be brought to a general Reſolution not to drink it.

M. *de los Balbaſes*, in a Viſit I gave him on *Friday*, was very inquiſitive how ſoon I hoped to ſee my Collegue Sir *William Temple* here; he told me, it was the general Longing to ſee him returned, all being perſwaded he will bring over a Plan from his Majeſty, upon which this Peace may be made; and not only a Plan, ſaid he, but likewiſe ſome Expedient, whereby the *Point of Honour* may be avoided, and neither of the Parties brought to the Queſtion, Who ſhall ſpeak firſt? This I take Leave to mention, becauſe I humbly conceive it to be of Moment here, when we come to enter into Buſineſs. The Marquiſs did upon this, as upon ſeveral other Occaſions, profeſs an extream deep Reſpect and Veneration for his Majeſty.

On *Saturday* I communicated the Inſtance of the Allies to the *French* Ambaſſadors, and they calling to me for their preciſe Words, I dictated to them as above. They told me, that ſince the Allies had taken ſo much Time to deliberate upon their Anſwer (for 'tis a Matter of 10 or 12 Days ſince they received it) they muſt not be haſty in their Reply; but muſt adviſe likewiſe with their Allies the *Swedes*. M. *Colbert* took Notice, that in the Meſſage I had now brought them, there was nothing ſaid touching the Biſhop of *Strasburgh*, and with ſome Heat repreſented his Caſe as much fitter to be taken into Conſideration here, than the Duke of *Lorain*'s; his Eſtate being much more inconteſtable, both in Title and Poſſeſſion, than the Duke's; and his Miniſter being much more behindhand than the Duke's; for the Duke's Miniſter is acknowledged, his *Plenipouvoir* agreed to, and his Propoſition accepted, and nothing of this is yet done for the Biſhop or his Miniſter; the Reaſon is, becauſe the Allies, he ſaid, have yet no Mind to a Peace; the Biſhop of *Gurck* having been heard to ſay very lately, that this is not a Time to make a Peace, it cannot be now made but advantageouſly for *France*, therefore that he did not hope for it at this Time. Theſe Words of the Biſhop of *Gurck*, he ſaid, he did communicate to me in Confidence: The Iſſue of this Conference was, they would take Time to deliberate of the Reply they are to make, they would ſpeak with the *Swediſh* Ambaſſadors upon it, and would bring me their Anſwer themſelves.

Last Night M. *Stradtſman* giving me a Viſit, I laid before him the Difficulty that was like to be about the Biſhop of *Strasburgh*; it being likely the *French* would be as earneſt to bring him into the Treaty, as they, the *Imperialiſts*, are to keep him out; yet that the *French* would have the Advantage of that Clauſe that is in the *Imperial Plenipouvoirs*, whereby they, the *Imperial* Ambaſſadors, are enabled to treat with the Miniſters of the Moſt Chriſtian King, and *with thoſe of his Allies*.

He ſaid, they were willing to hear any Propoſition from the *French* in his Behalf, but that they could not receive him as an *Ally* of *France*, in Regard they had always underſtood from us (the Mediators), from the Diſcourſes of the *French* themſelves, nay, and from M. *Ducker* too, that he was no Ally, but an *Adherent only*.

I told him, I knew nothing in particular of his Alliance, but that I had always thought he was a Kind of an Ally to *France*, tho' not ſuch an one as was in War againſt the Emperor; for that when the Confederates would have added (in the *Plenipouvoir*, to the Words *& de ſes Alliez*) theſe Words, — *qui ſont contre Nous en guerre*, the *French* had oppoſed it, leſt thereby M. *de Strasburgh* ſhould come to be excluded this Treaty: The Cloſe was, that he, M. *Stradtſman*, wiſh'd heartily there were no other Point but that to delay the Peace, they would quickly get over it; but he thought it reaſonable the *French* ſhould content themſelves with appearing for him, and not labour to introduce a particular Miniſter in his Behalf here; and ſince there is no other Prince in the whole Empire in his Caſe, (that is, divided from the Emperor and Empire) it is not for his Service, M. *Stradtſman* thinks, to be brought thus upon the Stage.

He told me, that the Nuncio had paſſed ſome Offices with the *French* Ambaſſadors about burning of Towns in the Dutchy of *Juliers* and otherwhere, and that their Anſwer was, the Soldiers did it without Orders, which the Allies know not how to believe.

Hardes coming back; by this Means this Trouble and Loſs would have been avoided; but now it being a Caper that has taken this Galliot, there is little Hopes of recovering any Thing.

On *Friday* the *French* Ambaſſadors came to deſire me (in Regard they had had yet no Anſwer upon what they had moved by me in the Biſhop of *Strasburgh*'s Behalf) that I would renew my Inſtances, to have that Biſhop's Miniſter and *Plenipouvoir* received. I have acquainted the *Imperialiſts* and the *Dane* with it, (they being the laſt that were with me upon the Buſineſs of the Allies) and they have referred me to make my Report again to the Allies in their Aſſembly, which will not be till after this Poſt is gone.

Just as I am cloſing, comes the two *Swediſh* Ambaſſadors, (M. *Oxenſtiern* being returned two Days ago) and tell me, they had conſidered of the Obſervations I had made upon ſome Words and Paſſages in their Memorial; that they would have no Difficulty to conform to thoſe Alterations I deſired in it, but they fear 'tis now too late; ſeveral Copies being gone Abroad of it as now it is, and the very Original to his Majeſty: But in Regard that they deſire nothing more than to attain to the Ends of that Memorial, it is indifferent to them, they ſaid, whether thoſe Ends be compaſſed by that Memorial, or any other Way; therefore they left it to my Diſcretion, to negotiate the Buſineſs either by producing their Memorial, or by ordering my Offices otherwiſe, as I ſhould think moſt conducing to a good Effect; but they did not think fit (as Things ſtand) to give Way to any Alteration.

They deſired of me, that they might be at a Certainty what to truſt to within a few Days, and to that Effect they offered to limit me to fifteen Days; for if the Treaties ſhould begin, ſaid they, and all Parties negotiate their Affairs, and they not have the ſame Liberty with others, of having a free Recourſe to their Maſter, as they cannot enter into Buſineſs, ſo they will not ſtay here and look on.

They told me further, the *French* Ambaſſadors have lately had Orders to ſtand by them, *& les appuyer*, in this Demand eſpecially, as well as in all other; that they had told them this Day they would do ſo, and that they would (as they had Orders) make the ſame *Demarches* they, the *Swedes*, did; M. *d'Olivenkrantz* adding, that *France* was bound not to treat either of Peace or Truce, without procuring them, the *Swedes*, the like Liberty as themſelves had to treat.

They told me further, that the Moſt Chriſtian King does approve of their Memorial as it is; that this being the laſt Memorial they are reſolved to give in upon this Subject, they muſt uſe the Expreſſions in it, ſince if it ſucceed not, it is to go further for their Vindication: They deſired me to repreſent theſe Particulars to his Majeſty by this Poſt, and that I would begin to negotiate as ſoon as I could poſſibly; which I promiſed to do, but abſolutely declined their Pretence to limit me to a Time, to give them any Account either of his Majeſty's Pleaſure or Directions; telling them, as I did once and again, it would be a Thing moſt abſurd in me to take upon me; it would be ſo likewiſe if I took upon me to give them an Account of the Succeſs of my negotiating here, ſince the firſt Account was to be given to his Majeſty, in caſe the Difficulty could not be overcome in a Buſineſs of this infinite Importance; that the Being of the Aſſembly depended upon it (it being always in his Majeſty's Power to find a Remedy, where we ſhould be utterly at a Loſs): Nor can I be ſo vain, as I told them, as to preſume to take upon me to do that which the Embaſſy may do in a Buſineſs of this Nature; therefore that I muſt ſuppoſe, that the Offices of the Embaſſy

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may be more prevailing than thoſe Inſtances I ſhould make, being here all alone: Beſides that, I did expect one, if not both my Collegues, to be here in a very ſhort Time; and that it was to me very probable, (this laſt Memorial being, as I ſuppoſed, come to Hand before the coming away of either of them) there may ſomething of his Majeſty's particular Inſtructions upon this Point be brought hither when they come. I am always, SIR, *&c.*

L. Jenkins.

To Mr. Secretary *Coventry.*

Nimeguen, 6th Sept. 1677.

Right Honourable SIR,

MY laſt general Diſpatch, addreſſed to Mr. Secretary *Williamſon*, and whereof there was a Duplicate addreſſed to you at the ſame Time, was of the 3*d* Current; ſince which I have the Favour of yours of the 31*ſt* of the laſt Month to acknowledge; and therein his Majeſty's gracious Goodneſs, in not diſapproving of what I had done here upon the *Swediſh* Memorial, in ſuſpending to give it in, as it is now dreſs'd, till I might have the Honour to know his Majeſty's Pleaſure, in a Matter that ſeem'd (to me at leaſt) of very great Importance.

THAT which has fallen out ſince in relation to the *Swedes* and their Memorial, is for the moſt Part accounted of in ſome Paragraphs of my laſt general Diſpatch, wherein it will appear, how the *Swedes* were willing that I ſhould forbear for ſome Time the giving in of their Memorial, if there was any Appearance of compaſſing the Ends of it by any other Means; but were not willing (or rather were reſolved not) to change any Thing of the harſh Language in it, or of the Demands they make of Offices, (to my ſeeming) very improper for us to adventure upon without his Majeſty's ſpecial Direction: I mean, *firſt*, That of our demanding that the *Danes* ſhould give juſt Satisfaction to this Aſſembly for ſo many Wrongs done them; and, *Secondly*, That we ſhould forbear the doing of our Parts in our Function between other Parties, till they, the *Swedes*, be in the ſame Condition with them, as to the Freedom of Correſpondence with their Court.

ON *Friday* M. *d'Olivenkrantz* was at M. *Beverning*'s, ſome few Hours after that he and his Collegue had been with me, to complain about their Memorial; his Buſineſs (at leaſtwiſe in Part, as M. *Beverning* told me) was, to make his Complaints againſt my refuſing to give in their Memorial to the Confederates. He uſed ſeveral Arguments, but none of them, it ſeems, ſerved to convince M. *Beverning*; for he was ſo far of the contrary Opinion, that when M. *d'Olivenkrantz* offered him, nay, preſſed him, to accept a Copy of that Memorial, he excuſed himſelf, and ſaid, that ſince the Mediator had made ſome Scruple to hand it over to their Alliance, he did not deſire to meddle with it, leaſt a Door ſhould be opened that Way to Sharpneſs, after the Mediator had endeavoured to ſhut them out; and that he could very well ſtay, and would do ſo, till the Mediator could get thoſe Alterations made in it, as he ſhould think fit, in Order to give it in without Offence; he being not of Opinion, that Mediators were to be made a kind of *Letter-Carriers*, and were not at Liberty to uſe Precautions for the preventing of Sharpneſſes that may ariſe upon Writings between the Parties, it being

me, the Nuncio declares, he does judge the Interviews between the Biſhop of *Gurck* and the *Spaniards*, to be *hors de rang*, and takes them to be of no Conſequence to him, and for the ſame Reaſon of no Conſequence to the *French*; for they, the *French*, are more than a little concerned, leaſt this ſhould be a Prejudice to what they pretend, upon the laſt King of *Spain*'s Declaration.

If the Nuncio does take upon him to make any ſuch Declaration, I do not ſee why a Declaration of the ſame Kind, made by his Majeſty's Miniſters here (when we are together), is not as deciſive as the Nuncio's; if he does it as Mediator, ours is as good; nor can I think of any Plea he has.

Count *Antoine* being come to this Town late on *Tueſday* Night, I was with M. *Petcum* this Morning upon the Subject of his Viſit of Ceremony, and deſired him to repreſent to the Count, with my moſt humble Service, how I do propoſe to myſelf the Happineſs 'ere long, not only of paying him my Reſpects, but alſo of ſeeing his Majeſty have the ſame Satisfaction in the Count's Ceremonials, as he hath hitherto had with all the Ambaſſadors of this Aſſembly. I deſired M. *Petcum* to conſider, how many they were in Number, that had paid the firſt Reſpect to his Majeſty, not doubting but that he, the Count, the Ambaſſador of a King, joined in Blood as well as Alliance with hisMajeſty, would be careful to pay him the ſame Reſpect that ſo many great Princes had done by their Miniſters: Then I left with him in Writing an Extract out of our *Cologn* Inſtructions, which are in theſe Words: — "You are to know, it is fundamentally agreed between us "and the ſaid Moſt Chriſtian King, that the firſt Place ſhall be on all "Occaſions given to the Mediators, that is to ſay, the firſt Viſits upon "their Arrival, even tho' they ſhould happen to be the firſt upon the "Place, as alſo the Upper Hand in the Place of Conference, and even "in all ordinary Converſations during all the Time of the Treaty." — This I left with him, having given him a full Account how the Practice upon this Article had gone all along at *Cologn*.

He gave me good Words in the general, and deſired me to aſſure myſelf, they would have a ſpecial Regard to *their Mediator*; that was his Expreſſion; but did not tell me it was reſolved on, that the firſt Notification ſhould be to his Majeſty's Miniſters. I am ever, *&c.*

L. Jenkins.

A M. l'Eveque & Prince de *Gurck*, Chef de l'Ambaſſade *Imperiale.*

$\frac{27\ \text{Aouſt}}{6\ \text{Sept:}}$ 1677.

Monsieur,

J'Aurois extrémement ſouhaité qu'une occaſion moins importune, que n'eſt celle-cy, m'eut donne quelque entrée auprés de vôtre Excellence, pour luy témoigner, ſans y méler d'autres affaires, le reſpect que je porte à ſon Caractere, à ſa Perſonne, & à ſes Merites. J'aurois tousjours attendu la meillure commodité de V. Excellence pour m'acquiter de ce devoir; n'eut été que je viens d'apprendre que V. E. eſt entrée aujourd'huy avec leurs E. E. M. M. les Ambaſſadeurs d'*Eſpagne* en Viſites de Ceremonie, ſans que j'aye eu aucune part à la notification,

comme je croyois eſtre en droit d'en avoir ; & qu'il à eſté pratiqué juſques icy dans cette Aſſemblée. C'eſt pourquoy il eſt de mon devoir d'autant plus, de tâcher de m' éclaircir de ce qui s'eſt paſſé à cét égard, que leurs Excellences Meſſieurs vos Collegues, Monſieur, on trouvé bon dans leur Viſite de Ceremonie de rendre les premiers reſpects à ſa Majeſte le Roy mon Maître, eſtant Mediateur reçeu de toutes les Parties qui compoſent cette Aſſemblée. V. Excellence jugera, s'il luy plaiſt, comme quoy je ſuis obligé de rendre un conte fort exact de la Conduite, que je tiendray dans une affair comme celle cy, s'il arrivoit que V. Excellences voulût ſe ſervir d'une Conduite differente de celle de Meſſieurs ſes Collegues, envers un Miniſtre du Roy mon Maître, puis qu'il à plû à ſa Majeſté en l'abſence de Meſſieurs mes Collegues, de m'honorer d'une Commiſſion, par laquelle je ſuis obligé de fournir, entant que ma petite capacité le pourra faire, à tous les devoirs aux quels l'Ambaſſade de S. M. fourniſſoit au paravant. V. Excellence Monſieur, verra bien par là la difficulté où je ſuis, & jugera combien j'ay beſoin d'un éclairciſſement bien net, ſur ce qui c'eſt paſſé aujourd'huy de ſa part, afin que je puiſſe me juſtifier dans la Conduite, que j'ay à tenir tant à l'egard de ce qui eſt dû au Roy mon Maître, qu' à ce que V. Excellences pourroit attendre de moy, qui deſire paſſionnément de faire voir par des effets, que je ſuis avec venité, MONSIEUR, *&c.*

L. Jenkins.

Reponſe de Monſieur l'Eveque de *Gurck* au Billet de Monſieur *Jenkins.*

27 *Aouſt*, 1677.

MONSIEUR,

J'ay reçeu le Billet de vôtre Excellence, où elle témoigne quelque ſcrupule de ce que j'ay reçeu aujourd'huy viſite, & que je l'ay renduë à leurs Excellences Meſſieurs les Ambaſſadeurs de ſa Majeſté Catholique, devant que d'avoir notifié mon arrivée à V. Excellence. Sur quoy je diray, que je n'ay fait en cecy que ce qui à été pratiqué entre les Miniſtres de la tres Auguſte Maiſon & nommément dans l'Aſſemblée de *Munſter*, dont le Nonce du Pape (le rang du quel parmi les Puiſſances Catholiques eſt inconteſtable) ne fait aucune difficulté, par où je ne vois pas que vôtre Excellence puiſſe avoir ſujet d'y en faire aucune : elle doit auſſi eſtre perſuadée, que ſi lors que leurs Excellences Meſſieurs mes Collegues ont fait leur Ceremonial, il y eut en cette Aſſemblée des Ambaſſadeurs de ſa Majeſté Catholique en public, ils n'en avoient pas uſé autrement. Au reſte je prie V. Excellences de croire, que tant par l'ordre de ſa Majeſté Imperiale, que par ma propre Inclination, je témoigneray tousjours la derniere veneration pour ſa Majeſté de la *Grande Bretagne*, & l'eſtime particuliere pour le Charactere & la Perſonne de vôtre Excellence, & que je ſuis veritablement, MONSIEUR, *&c.*

Jean Eveque de Gurck.

Nime-

Nimeguen, 3 d Sept. 1677.

Right Honourable Sir,

My laſt was of the 30*th* paſt; ſince which, I have none of yours to acknowledge.

M. *Spanheim* delivered me a Letter ſome while ſince, that his Electoral Highneſs, the Prince Elector *Palatine*, had done me the Honour to write to me, about his Affairs depending here; the Copy of it goes herewith encloſed, as alſo the Anſwer I took leave to write to his Electoral Highneſs.

The Difficulty he ſticks at is this: He thinks it not fit to enter as a principal Party, and in his own immediate Right, into this Treaty; he would willingly come in as an Ally to the Emperor and the Empire, who are bound by Treaty to procure him Satisfaction; but then, his Electoral Highneſs would avoid, if he could, the giving of a *Plenipouvoir* on his Behalf to the *Imperial* Miniſters, before he does ſee what they are like to procure for him: Therefore he propoſes, that the Mediators would diſpenſe with the Formalities and Rules here obſerved in this Concern of his Electoral Highneſs. My Endeavour is to ſhew, that we cannot diſpenſe, where the Parties do not think fit to concur; for Inſtance, the producing of a *Plenipouvoir* is a Formality requiſite, the adverſe Party may call for it when they pleaſe, either at their firſt entring upon the Buſineſs, or elſe they may defer to require it, till all be agreed and ready to ſign; but whenever they do call for it, the Mediators have it not in their Power to diſpenſe with the not producing it, the Thing being wholly arbitrary, and in the Power of the adverſe Party; all we can do is, to employ our Offices in deſiring them to forbear calling for it, till the Matter treated of be in ſome Forwardneſs.

His Electoral Highneſs's original Pretenſions do yet ſtick in the Hands of the *Imperialiſts*; there is ſomething in the narrative Part of them, that intimates how the Elector hath ſuffered before this preſent War, by the non-Execution of the *Weſtphalique* Treaties, but his Demand of Reparation is not extended beyond the Damages of this War: The *Imperialiſts*, it ſeems, make a Difficulty to deliver in the Pretenſions prefaced with that Narrative, and ſo that Matter depends at this Time.

On *Saturday*, M. *Petcum* call'd upon me in his Return from the Biſhop of *Gurck*, where he had been making his Viſit of Ceremony; he told me, he offered at ſome Diſcourſe with the Biſhop, about Count *Antoine*'s firſt Viſit to the Mediators, and how that would be no Prejudice to the Emperor, in Regard there was no Prince that ſtood in Competition with him as Emperor; but that the Biſhop was ſo full, and ſo high upon the Point, that he was glad to hold his Peace, and to leave the further managing of it to M. *Heugh*.

My Anſwer was, that let the *Imperialiſts* be never ſo high, I would be ſure to obſerve my Orders.

He was no ſooner gone, but M. *Heugh* came to complain of the ſame great Heights; and to give me an Account of a Converſation M. *Stradtſman* had entred into with him, upon the ſame Subject; in which he told him, M. *Heugh*, that it would be an Affront to the Emperor, not to give his Miniſters the firſt Viſit; that there was no Inſtance in any Story tending to countenance it, but all to the contrary; that the

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Venetian Mediator at *Munſter*, was without any Rank at all, in Regard of that Function; and the Electoral Ambaſſadors, who have always diſputed the Precedency with the *Venetian*, did diſpute it there, notwithſtanding his Figure of Mediator; that Kings, who have a Competition among themſelves, may have given in to this Expedient, to avoid Embarraſs with the Mediators; but that there was no Reaſon or Colour to expect that the Emperor, who is out of the Rank and Competition, ſhould give into the Expedient.

When I had obſerved unto him in a very few Words, that I had not heard of any King in *Chriſtendom*, that did allow the Emperor to be out of their Rank, or to be any more than the firſt in their Rank; that the King my Maſter would not poſſibly get any Thing by this Deference that is paid him; but that the Emperor would gain his Point if it be paid him; which is, *to be of an higher Order of Monarchs than Kings*; that the King having practiſed it at *Cologn*, and received it from all the Parties here, I have no Reaſon to believe he would depart from it now: I concluded with him, as I did with M. *Petcum*, that my Orders were preciſe, and that I would keep cloſe to them.

Thus it is apparent, the *Imperialiſts* do take all Occaſions to put this Aſſembly into a Diſquiet; in the mean Time, M. *le Comte Antoine* is gone on *Friday* upon his Eſtate three Hours off, and will be here ſome Time this Week, and make his Notifications.

In this Converſation, M. *Heugh* took notice to me, how he heard that the *Swediſh* Ambaſſadors had put a Memorial into my Hands; and deſired to know, what was become of it. I told him, he might come 'ere long to hear of it; that it was now in their Hands again, and would receive their ſecond Thoughts upon ſome Words in it, before it ſhould be put up to the Aſſembly of the Confederates. That the Matters in it were, in my Apprehenſions, of exceeding great Conſequence to this Aſſembly; and therefore I hoped we ſhould, when it came, receive from him ſuch an Anſwer upon it, as might contribute to carry on the great End of our being here, and ſecure us from any Interruptions.

His Anſwer was, that he knew very well, how they, the *Swedes* Ambaſſadors, do in that Memorial, and, of late, upon all other Occaſions, threaten to be gone from hence; and that he believes the *French* do influence them very much in this; that they think fit to give out, that they, the *Danes*, are moſt deſirous of a Peace; but if the *Swedes* will needs go on in the War, they muſt do as well as they can; in the mean Time, that they, the Ambaſſadors of *Denmark*, will ſtay here, and help to make up the General Peace for the reſt of *Chriſtendom*.

That he can go no further than he hath already offered, in the Matter of Paſſage for Letters and Couriers; his Allies, the *Spaniards*, having call'd upon him in the very laſt Aſſembly of all, not to yield to any further Conveniency for the *Swediſh* Letters and Couriers, till the *French* do give them, the *Spaniards*, an Equivalent in the ſame Kind.

That M. *Oxenſtiern* might have eaſily prevented the Inconveniency befallen them in taking the *Dutch Galliot*, in its Return from *Gottemburg* to *Amſterdam*, if they had called on him, M. *Heugh*, for his Paſſport, and he had given it to M. *Lillyroodt*, and ten Perſons, to go in that Galliot over into *Sweden*; and he would have readily, upon the leaſt Intimation, given it to any Number of Perſons, and to any

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THIS Morning M. *Petcum* was with me, to tell me how ſenſible Count *Antoine* is of the Embarraſs he is to enter into about his firſt Viſits, the *Imperialiſts* expecting from him the firſt Notification, and deſiring that I would enter into ſome Expedient, for he is now come upon his Eſtate three Hours off, and will be in Town this Night.

I told him I had dealt very clearly and plainly with M. *Heugh* in this Point, that my Orders were expreſs, to pretend the Notification before the *Imperialiſts*, and that I had let M. *Heugh* know as much.

M. *d'Avaux* comes to me upon the ſame Subject, to tell me from himſelf and his Collegues, that they underſtand Count *Antoine* will be under a great Temptation to paſs me by, and to pay the firſt Reſpect to the *Imperialiſts*; which, if it be done, will bring them, and probably the *Swedes* to, into the Embarraſs of not ſeeing him. I am always, *&c.*

L. Jenkins.

Nimeguen, 30th Aug. 1677.

Right Honourable SIR,

MY laſt was of the 27*th*, ſince which I have not any from you to acknowledge.

SOON after that Diſpatch was gone, Meſſieurs *Colbert* and *d'Avaux* came to me, (as they ſaid, in Purſuance of a Promiſe they had made me, when they ſhould have any Thing certain of the Biſhop of *Gurck*'s appearing in Publick) to conſider with me of ſuch Precautions as were to be taken; they and I finding the Biſhop of *Gurck* going to work the ſame Way that the *Spaniards* had gone a Month ago, in his Viſit of Ceremony; for he was viſited by the *Spaniſh* Ambaſſadors in the Forenoon on *Monday*, and he returned them their Viſit the ſame Afternoon.

IT was agreed among us, that I ſhould endeavour to get ſomething in Writing, by way of *Eclairciſſement* (ſuch as *Don P. Ronquillo* had given me) upon that Interview; and that I ſhould endeavour to procure it from the Biſhop himſelf, in Regard that the ſame Thing from M. *de Kinski*, or M. *Stradtſman*, would not have the ſame Weight, for that they were no Parties to the Viſit.

HEREUPON I drew up a Letter to the Biſhop of *Gurck*, and then went and ſhewed it to M. *Stradtſman*, and deſired firſt his Judgment, then his good Offices upon it; in the Draught, he had nothing to except to, and promiſed to ſecond it with the Biſhop; the Copy of it goes herewith.

ABOUT nine at Night I received an Anſwer to it in Writing from the Biſhop of *Gurck*, which is likewiſe here incloſed. M. *Colbert* was diſſatisfied with that Expreſſion in it, of the *tres-auguſte Maiſon*, and no more, as if we were bound to underſtand it of the Houſe of *Auſtria*.

However, he and M. *d'Avaux* (the Mareſchal being abſent) found it in the reaſoning Part to be juſt the ſame with that which *Don P. Ronquillo* had writ to me upon that Subject, it turning upon thoſe *three* Heads: 1. The Practice between the Miniſters of that Houſe. 2. The Example of *Munſter*; and, 3. The Acquieſcence of the Nuncio; who, as M. *Stradtſman* ſaid, did not ſtir for any *Eclairciſſement* from the Biſhop; but the *French* Ambaſſadors do ſay, that when he had underſtood (as it ſeems he did by them) that I had got an *Eclairciſſement* in Writing, his Auditor was imployed next Morning to procure the like for the Nuncio.

BEING poſſeſſed of this Letter from the Biſhop, I was notified at 9 on *Tueſday* Morning, and had the Hour of 11 given me; next to me, the *French* had 3 aſſigned them in the Afternoon; the *Dane* 4; the *Brandenburghers* 5; M. *Oxenſtiern* ſent his Excuſe, for that his Collegue was not in Town; and ſo did M. *Beverning*.

I find M. *Oxenſtiern* is not ſatisfied, that the Notification was fair and indifferent; this his Secretary has given out, but I have not yet heard any Thing from him to that Effect.

YESTERDAY the Biſhop of *Gurck* returned his Viſit to me at 11; to the *French* at 3; to the *Dane* at 4; and to the *Brandenburghers* at 5; his Equipage was 4 Coaches and ſix Horſes, about 18 Footmen and 6 Pages. He told me, when I made him a little Apology, that I durſt not appear in Viſits with any other Equipage, than that his Majeſty had intended for an Example to the Aſſembly, and that we had always kept ourſelves to his Rule; that he was extreamly troubled, when he was told that that Article of the Reglement, which his Majeſty had propoſed to the Aſſembly, had not had the Luck to be univerſally obſerved, as well as the reſt have been, he judging of the whole as extreamly uſeful; and the Article of regulating Trains of moſt Uſe, and of greateſt Importance in this Place.

IN his Complement, he ſpoke fully of his Majeſty's Merit and Glory, both with this and after Ages, for the Pains he hath taken, and the Zeal he doth ſhew in the Exerciſe of this Mediation. His Majeſty will meet with all Concurrence poſſible, he ſaid, from the Emperor, all his Actions hitherto having ſhewed him to be a *Pacifick Prince*; and his Majeſty will eaſily perſwade himſelf of the Emperor's Diſpoſition to enter into a Peace, when he ſhall pleaſe to conſider his Unwillingneſs to enter into a War. He inſtanced in the War in *Poland*, and the other in *Denmark*, and this preſent War, *s'eſtant laiſſé tirer comme par les Cheveux*, (that was his Expreſſion) before he would be brought to take up Arms in either of them: and the Emperor, he ſays, relies extreamly upon his Majeſty's Mediation.

HE was in both the Converſations I had with him very inquiſitive to know what News and Hopes I had of my Collegues ſpeedy Return hither, there being great Hopes depending upon their Return.

AS I am cloſing, M. *d'Avaux* tells me, the Nuncio had an *Eclairciſſement* from the Biſhop of *Gurck*, which differs nothing from that which M. *de los Balbaſes* had given him, upon Occaſion of the other Viſit: He hath promiſed me a Copy of it, which ſhall go, if not by this Poſt, then by the next. He told me, the Affair of M. *Kinski*'s and M. *Stradtſman*'s Viſit of Ceremony was once all adjuſted, by a Declaration intended to be given between them by the Nuncio; but that all was broke off again, and that they had moſt Reaſon to complain of M. *Stradtſman*.

THAT which M. *Kinski* ſtood upon was, that they ſhould give him a private Viſit at his Houſe, before the Interview in the Body of the Embaſſy, and then his Reviſit ſhould be ſolemn with the Biſhop of *Gurck*. He told me, that if there had happened ſome Miſunderſtanding between the Biſhop of *Gurck* and me, (which it ſeems ſome were Well-wiſhers to) the whole *Imperial* Embaſſy would have broke Commerce with us here, and by that Means, and upon that Pretence, play'd their whole Buſineſs into the Nuncio's Hands.

I am apt to think the Nuncio has given them, the *French* Ambaſſadors, ſome Declaration, that is fuller than the Biſhop of *Gurck*'s *Eclairciſſement*, either to the Nuncio or to me; for M. *d'Avaux* told me,

being unreaſonable that they ſhould be made the Miniſters of other Mens Heats and Paſſions, ſince it is the principal Part of their Function to endeavour to allay, compoſe, and prevent them, as much as is poſſible.

THIS Account I had yeſterday from M. *Beverning* himſelf; and tho' he refuſed to receive a Copy of the Memorial from M. *d'Olivenkrantz*, yet he deſired a Sight of it from me privately, (which he had) that he might prepare himſelf for Converſation with the *Swedes*, as far as he ſhall find the States his Maſters to be concerned in that Memorial, or can hope to be uſeful to bring the *Danes* to Reaſon.

M. *Beverning*, in the ſeveral Converſations I had with him on *Monday* and yeſterday, complain'd of the *Danes*, that they were intolerable in their Proceedings; that the States have ſeveral *Demêlés* with them at this Time; one about their own Mariners, without whom, he ſaid, the *Dane* can do little at Sea; the Difference is about two *Swediſh* Men of War that had eſcaped the *Danes* in the late great Fight, and fell into the Hands of the *Dutch*, as their Fleet was coming up next Day; they will allow the *Dutch* no Share in them that took them, upon Suppoſal that they had been diſabled the Day before, while the *Dutch* had no Part in the Action: — *Ces Meſſieurs là fairont toujours ce qu'il leur plaira à moins que ſa Majeſté Brittannique Envoye une Vintaine de ſes Navires de guerre dans la Mer Baltique pour y mettre le Hola*, — was an Expreſſion he uſed with ſome Emphaſis, among many others upon that Subject; ſaying, that his Maſters were bound in Honour to get full Reparation done them, eſpecially as far as the reſtoring of all Things to the *Swede* will amount to, for the taking of that Galliot, wherein the *Swedes* are ſo much intereſted; it being, ſaid he, moſt directly againſt the Treaty between *Denmark* and them, to have meddled with this Galliot, ſince it was *Dutch*, tho' it had been full of Contreband Goods; but this Caſe touches them in Point of Honour too, the Galliot being lent by Order of the States General, and under the Flag, and with the Paſſport of the Admiralty of *Amſterdam*.

MY Buſineſs with M. *Beverning* was, to learn from him what Eſtabliſhment had been made between them and *Denmark*, for the Paſſage of Letters from *Holland* into *Sweden*, and ſo back; that if that Eſtabliſhment proved to be ſuch as ought in Reaſon to content the *Swede*, his Majeſty may pleaſe, if it be ſo thought fit, to endeavour, by his Mediation with *Denmark*, to get the ſame Eſtabliſhment to be made and fixt in Favour of the Treaty here, for the paſſing of Letters to and fro, as the *Hollanders* have gotten for their Merchants; and his Majeſty, when he ſees that Eſtabliſhment, may pleaſe to determine what is further to be demanded, and had in Favour of the *Swedes* in this Treaty. Upon this Foot, I humbly ſuppoſe, the Paſſage of Letters may be ſettled. But M. *Beverning* was not able to tell me any Thing certain, but took a Note to write to the *Hague*, for an Extract of what concerned this Point.

THE next Thing will be for Couriers, which is hardly to be done but by a *Route* preſcribed them; and to that End, I have put the Project that M. *d'Olivenkrantz* gave us in ſome Months ago, (where it is pretended that the Couriers ſhall not need to make above 10 Hours Way within the *Daniſh* Territories, and that not near any Armies or ſtrong Places) into the Hands of M. *Petcum*, to conſider of, but have not yet had his Reflexions upon it.

FOR the Reſtoring of the Things taken in the Galliot, tho' I find the States will be warm enough in it, yet I have begun my Offices about them with M. *Heugh*; he ſays ſtill, the *Swedes* muſt blame themſelves,

the calling upon him for his Paſſport would have prevented that Miſchief, and that hardly any Thing can be recovered from the Caper.

While M. *Beverning* and I were upon this Subject of the Galliot, and the Papers taken in it, he ſaid, the great Secret of their Affairs was in that Galliot, nor does he know how well it was diſguis'd in Cypher; only there is come to the Hands of the States, a Letter of the King of *Sweden*'s to his Ambaſſadors here, wherein he complains extreamly of the States, and treats them, he is ſure, far otherwiſe than they deſerve; he not knowing wherein they merit otherwiſe than well of him; he, for his Part, having done all he could fairly do for the *Swedes*.

He told me alſo, that *France* had lately entered into a ſtricter Union and League, than they had before with *Sweden*; that it is not above a Fortnight or three Weeks that they have News of it. That they, the *Swedes*, had been a great while endeavouring to get off from *France*, and to come over to them, the *Dutch*; that he had negotiated the Affair to get reaſonable Terms for them, but that he could do no good, *quoy qu'il voyoit de la lumiere de la Pouvoir faire*; for that the *Swedes* ſtood upon having all reſtored to them, and would not be brought to part with any Thing of what the *Dane*, the *Brandenburgher*, and the *Lunenburgher*, had conquered upon them; that hereupon he gave over, and ſeeing his Offices would not prevail, had not ſeen the *Swedes* theſe three Months.

In this Converſation, we had ſome Diſcourſe of the Carriage of the *Spaniſh* Miniſters in *England*, whereof your two laſt give ſo abundant Evidences. He ſaid, he could not comprehend what they do propoſe to themſelves, nor, ſuppoſing they ſhould be able to bring it about to embroil the King and his People, (which God forbid) what Help that would be unto them, or what that could conduce to ſave what they are every Day loſing: He ſays, the States General are aware of their ill Conduct in *England*, *& ont pris des Reſolutions bien fortes*, and have written to M. *Van Beuninghen* upon this Occaſion. He looks upon them, he ſaid, as a People that are in Deſpair, and do therefore heed the leſs what they do.

The *Imperial* and *Spaniſh* Miniſters have had no Communication, he ſays, with M. *Van Beuninghen*, upon ſome Punctilio of Treatment, which he does not well comprehend what it ſhould be; he being *Ambaſſador Extraordinary*, and they *ſans Caractere*, that was his Expreſſion. M. *Van Beuninghen*, to ſhew himſelf eaſy where the Publick Good was concerned, let them know, he was willing to admit of Expedients; but the States being informed how the Thing ſtood, have expreſly forbid him to enter into any Expedient whatſoever.

He told me further, that his Highneſs the Prince of *Orange* had writ him a Letter of four Sheets of Paper, all with his own Hand, wherein he does, among other Things, clear my Lord the Earl of *Oſſery* from having ever opened his Mouth, either at the Council of War, (where he ſpoke not at all) or in private, to move his Highneſs, in Order to ſuſpend or divert him from any Action he was upon, or might be thought to have in his Head, in the late Miſcarriage near *Charleroy*.

On *Monday* I was at the Aſſembly of the Confederates at their uſual Hour, and made my Inſtances with them, as the *French* Ambaſſadors had deſired me, to have the Miniſter of the Biſhop of *Strasburgh* received as a Party. The Biſhop of *Gurck* having recapitulated thoſe

few

few Words I ſaid, thank'd me, as is uſual, and told me the Aſſembly would deliberate upon it.

YESTERDAY in the Forenoon, M. *d'Olivenkrantz* was with me, to acquaint me, his Collegue and he had come to a Reſolution, that he ſhould take a Journey to wait upon his King, wherever he be, in Order to repreſent the State of all Affairs to him, and to be fully inſtructed for this Negotiation. That he was to be gone very ſuddenly, and therefore was come to take his Leave of me; he had acquainted M. *Beverning* three Days before of this Journey; he reckons to be out about five or ſix Weeks; ſo much Time, he ſaid, would be taken in ſettling the Freedom of Paſſage, as they pretend to have it, for their Letters and Couriers through *Denmark*; and till that be done, his Preſence would be of very little Uſe here.

WHEN I let him ſee the Surprize I was in, I told him, that my Concern was very great his Return ſhould be the ſpeedieſt poſſible, leaſt that if in his Abſence any Advance ſhould be made towards them, the *Swedes*, or even towards their Allies the *French*; the Want of his Preſence, in Caſes to be determined between him and his Collegue, and in Caſes to be conſulted and adviſed upon between them and the *French*, (as Allies that go Hand in Hand) ſhould be a Hindrance and a Stop upon all the Parts of our Negotiation here.

THE Hopes he gave me that it would be no ſuch Thing were faint enough; and he was pleaſed to ſuppoſe, that there would be nothing of Moment advanced on either Side while he ſhould be away; rather than to aſſure me, that his Collegue and his Allies had a Power, and would be in a Diſpoſition to go on, if any Thing ſhould be brought under Deliberation, in Order to a Diſpatch in the mean while.

I muſt confeſs, I am not without Apprehenſion upon this Incident, tho' there may be Domeſtick Reaſons beſides the Publick ones, that may have brought him to make this Journey.

I moſt humbly thank you, SIR, forthe Intimation you are pleaſed to give me, of M. *de Wallenſtein*'s late Requeſt to his Majeſty, that we might have Orders to communicate with the Pope's Nuncio here, and of his Majeſty's Anſwer upon that Requeſt.

WE having in *January* laſt had his Majeſty's preciſe Orders not to do it, my Collegues and I have kept as cloſe as is poſſible to the ſtrict Letter of thoſe Orders, nothing in the leaſt having paſſed directly or indirectly on our Part, tending to take Notice of his being in this Place, much leſs to acknowledge him, or have any Commerce with him, or with any Perſon whatſoever that belongs to him.

WHAT Grounds M. *de Wallenſtein* hath to preſume the *Dane*'s Conſent, I know not; ſure I am, that Account I gave in one of my late Letters was out of his own Mouth, and (as near as I could carry them away) in his own Words. I am, *&c.*

L. Jenkins.

To Mr. Secretary *Coventry.*

Nimeguen, 10th Sept. 1677.

Right Honourable SIR,

MY laſt was of the *6th*; and having not had the Favour of any from you, ſince that of the laſt of *Auguſt*, nor from Mr. Secretary *Williamſon*, I have nothing that requires my enlarging of this further than

than to tranſmit unto you the Letter encloſed from the Duke of *Deux Ponts* to this Embaſſy, and the Memorial of his Miniſter, that Duke having choſen this Way of Recourſe to his Majeſty's Protection.

THIS Miniſter repreſents the Duke his Maſter to be in a Way of coming to great Straits for his own Subſiſtence, and that of his eldeſt Son's Widow and her Siſter, whom he is bound to maintain; his Country being not only extreamly haraſſed, but, by the burning down of his Villages, and the deſerting of his Subjects, become in moſt Places abſolutely deſolate.

THAT which he deſires is, to be ſpared in the Contributions that the *French* do now exact in his Country with the uſual Rigours; and he thinks himſelf very well founded to deſire it, in Regard he hath not in the leaſt failed in his Reſpects to the Moſt Chriſtian King, or tranſgreſſed in the Neutrality he profeſſes to obſerve; and alſo, for that he is ſo near of Kin to the King of *Sweden*, (ſo conſiderable an Ally of *France*) and who is to ſucceed this Duke, as next Heir Male.

I did repreſent to this Miniſter what Anſwer I was like to have from the *French* Ambaſſadors, if he would needs preſs me upon any Office of this Kind towards them; and it proved to be ſo, as it happened heretofore in our Applications for his Highneſs Elector *Palatine*, the Duke of *Newburgh*, and the Count of *Naſſau*: They owned indeed, the Duke of *Deux Ponts* to be not only a Neutral Prince, but one that the King their Maſter had a particular Regard for; but withal ſaid, the regulating of Contributions was altogether foreign to their Commiſſion here, and they muſt refer him to thoſe in the Court of *France*, (naming M. *de Louvoy*) that have the Direction of thoſe Affairs, where they doubted not but he ſhould find good Juſtice; M. *Colbert* adding, he believed there was a Neceſſity for the *French* to do what they did in that Country, for that their Enemies had Supplies out of it.

I laid hold of this Conference, to take notice to them of the Count *Antoine*'s being return'd to Town, (as he hath been ever ſince *Wedneſday*) and of what was diſcourſed, of the Expectations he ſhould viſit the *Imperialiſts* in the firſt Place; giving them an Account alſo of the Diligences I had uſed both with M. *Heugh* and M. *Petcum*, and of the Obligation I was under to pretend abſolutely, that the firſt Notification and Reviſit ſhould be given me before the *Imperialiſts*.

M. *Colbert* told me, that they were reſolved (and he hoped his Collegues then preſent would not diſavow him) to follow the ſame Fortune as I ſhould have, and not to viſit him, unleſs I had the Opportunity of the firſt Viſit given to me before the *Imperialiſts*; and therefore, that they were of Opinion, that in Caſe the firſt Hour were aſſign'd to the *Imperialiſts* before me, and that I ſhould find the *Imperialiſts* to make their Viſit at that Hour, then, and in that Caſe, I ſhould not viſit at the Hour aſſign'd me.

I laid before them an Inconvenience that would be in that Courſe; which was, that I ſhould herein vary from what my Collegue Sir *William Temple*, and my ſelf, had done in the Caſe of the *Swedes* Ambaſſadors, we having gone on with our Viſit with them, notwithſtanding we knew, that they, the *French*, had viſited them before; and we reſolving (as we did) to inſiſt upon the firſt Reviſit before them, the *French*, which if we had not had, we would not have received them.

BESIDES this Example, I was apprehenſive, that in refuſing to viſit at the Hour aſſigned me, tho' it ſhould be after the *Imperialiſts*, I ſhall give Count *Antoine* an Advantage over me, which would be to ſay, that

that had I viſited him at all, he would have given me the firſt Reviſit, as the *Swedes* had actually practis'd it; and as the *Spaniards* declared they would practiſe in their Reviſit, tho' the *French* ſhould have viſited, as they had taken an Hour before me.

THIS they were pleaſed to weigh and conſider of; but their Judgment and Reſolution upon it was, that the Aſſignation of Hours is, (according to the Stile and Practice of this Aſſembly) a Declaration of the Preference given in the Notification, and of the Order intended in the Reviſit; therefore it was their Senſe and Advice, that I ſhould pretend the firſt Hour to be aſſign'd me; but that to prevent Count *Antoine*'s having any ſtarting Hole given him, by my balking to viſit him; and that he might have no colour to ſay, he would have given me the firſt Reviſit, had I given him any Viſit at all; that as ſoon as I ſhould diſcover, that the *Imperialiſts* were upon their Viſit of Ceremony at his Houſe, and before me, I ſhould have a Gentleman ready to ſtep in to the Count, (as ſoon as the *Imperialiſts* ſhould have done their Viſit) to tell him, that I ſhould not be able to give him a Viſit without his Majeſty's Orders, in Regard I had not had the firſt Hour aſſigned me, unleſs he would aſſure me, that he would give me the firſt Reviſit before the *Imperialiſts*; which if he did, it was the Opinion of the *French* Ambaſſadors, I might go on with my Viſit; if not, break off there.

THEIR Advice being unanimous in this Caſe, I think it ſafeſt for me to follow it; tho' I muſt confeſs my own poor Judgment, had not theirs intervened, would have lead me to chooſe the other Way; but ſeeing they have given their Opinion ſo fully, and alſo declared ſo frankly, they intended to make no Step, but as they found Satisfaction and Right done to his Majeſty in this Point; I intend to take the Way they have commended to me; only I will have two Gentlemen more in a Readineſs to ſend, the one to M. *Heugh*, and the other to M. *Petcum*, to make the ſame Repreſentation, as I intend to Count *Antoine*, unleſs I may be ſo happy, as to receive the Honour of his Majeſty's Directions upon this Point, before this Notification be made; which I am the more in Hopes of, in Regard I have humbly repreſented this Difficulty in one of my Letters a good while ſince.

M. *d'Eſtrades* (as we were breaking up this Conference) told us, he thought Count *Antoine* would not appear in publick ſo ſoon as we expected; for one, that had Reaſon to know much of his, Count *Antoine*'s Mind, had told him that very Morning, that Count *Antoine* finding the Mediator would give in to no Expedient, he would make no Viſit of Ceremony at all, but let himſelf inſenſibly into the Buſineſs of the Place, by joyning himſelf, as Occaſion ſerved, with M. *Heugh*, who is in it already.

I have nothing yet of our Collegue Mr. *Hyde*, but what is in the *Haerlem* Gazette, of his being arrived at *Bruxells* on *Wedneſday* Morning laſt; if his Highneſs the Prince of *Orange* be ſtill, as he was lately, near the *Sambre*, and that Mr. *Hyde* hath no Occaſion to attend his Motions, or to take *Bruxells* again, or the *Hague* in his Way hither, I ſhall ſuppoſe he will chooſe to go upon the *Sambre* to *Namur*, and from thence upon the *Meuſe* to *Liege* and *Maeſtricht*, till he come to a landing Place, within an Hour of this Town; and if he happen to ſteer his Courſe that Way, I do hope he is already well advanced in his Journey hitherwards, where I ſhall be moſt joyful to ſee him returned. I am always, *&c.*

L. Jenkins.

To

To Mr. Secretary *Coventry*.

Nimeguen, 13th Sept. 1677.

Right Honourable SIR,

MY laſt was of *Monday* the 10*th*; ſince which, I have none either from yourſelf, or Mr. Secretary *Williamſon*, yet come to Hand, the Wind being ſtill contrary; and to Morrow will be a Fortnight, ſince the Date of the laſt I have had from yourſelf.

ENCLOSED I take leave to ſend you a Memorial, that M. *le Preſident Cannon*, the *Lorain* Miniſter, put into my Hands, with a Deſire I ſhould give it the *French* Ambaſſadors; but having obſerved to him, that there were in it ſome Mis-Allegations of Matter of Fact, and that for him (now he takes his Maſter's Affair into his own Hands) to begin with a Memorial in Writing, was not ſo convenient, in Regard that the Uſe that is made of Memorials here, is moſt commonly to ſet hard the adverſe Party, and to put him as much as may be in the Wrong; he was content I ſhould do my Offices for him by Word of Mouth, and was convinced it would be Time enough to have Recourſe to Memorials, when he finds that the *French* (notwithſtanding his Conduct now, ſince he takes his Buſineſs into his own Hands, is ſuch that they cannot except againſt) will give no Anſwer to his Propoſition.

YESTERDAY, I took an Hour of the *French* Ambaſſadors upon this Occaſion, and repreſented to them the great Mortification M. *Cannon* profeſſed to labour under, in that he cannot have an Anſwer from them to his Propoſition: That he foreſees the Buſineſs of this Aſſembly will be multiplied 'ere long; and fearing that the Concerns of others may entangle his, he deſires to be, before that can fall out, in the ſame Condition with the reſt of the Parties that are upon this Place; there being none, that hath given in a Propoſition, but hath had his Anſwer upon it a long while ſince, himſelf only excepted: That he profeſſed, that whatever the Anſwer, that ſhall be given him, ſhall happen to be, that he will receive it with that Reſpect that is due to the Moſt Chriſtian King and to his Ambaſſadors; that I did deſire them to excuſe me, in that I could not be otherwiſe than very earneſt and preſſing in this Inſtance; for that M. *de Cannon* did appeal to what I did know, and had reported to him, of the good Hopes that they, the *French* Ambaſſadors, had given of an Anſwer from them.

To this the *French* Ambaſſadors anſwered exceeding calmly, that they deſired a little Time to conſider of the Inſtance I had made; that they themſelves would bring me their Anſwer to it, and hoped to be able to make it appear, that M. *Cannon* has no Right to preſs them for an Anſwer, until his Allies do give them Satisfaction in the Point of the Biſhop of *Strasburgh*, and until the Biſhop's Miniſter be acknowledged by the Allies, and his Propoſition received, as M. *Cannon* had been acknowledged by them.

M. *Oxenſtiern*, in a Converſation I had with him yeſterday about the *Swediſh* Letters and Couriers, took Occaſion to tell me, ſomewhat more expreſly than at other Times, how neceſſary it was that *Denmark* ſhould give them all reaſonable Satisfaction, and that ſpeedily, in that Point, otherwiſe that this Aſſembly would be in Danger to be diſſolved.

THAT

That if any Thing ſhould betide M. *d'Olivenkrantz*, that ſhould hinder his ſpeedy Return to this Place, he thought the King his Maſter would rather recal him, than reſolve to ſend another; that he (M. *Oxenſtiern*) cannot, as Things now ſtand, enter into Buſineſs without a Collegue, and without Inſtructions ſuitable to the preſent State of Affairs; and that if he did not, he aſſured me the *French* would not, nay, could not: *Eſtant obligez de ne Traiter ny Paix ny Treve, ſans Nous & eſtant reſoluz de ſuivre Nos Pas*; theſe were his Words.

M. *Petcum* told me on *Tueſday*, (when I called upon him for his Reflexions upon the Project of a Paſſage for the *Swediſh* Couriers by the Way of *Femeren*, that I had put ſome while ſince into his Hands) that he had ſent it to the Chancellor of *Denmark*, and deſired his Conſideration upon it, but had yet no Anſwer; he ſhewed me the Copy of the Letter he had writ, it was in *French*; and in the Cloſe of the Paragraph touching this Project, he obſerved to the Chancellor, that the *French*, for ought he perceived, had no great Mind to a Peace; and if ſo, they may probably lay hold of this Pretence, and lay all the Blame and Envy of continuing the War at their Door in *Denmark*; for that they, by ſtopping all Commerce between the Ambaſſadors of *Sweden* and their King, render it impoſſible for them to enter into any Part of this Treaty.

In this Converſation, he let fall a Word of Count *Antoine*'s Impatience to enter into Commerce with the Mediation; that he hoped it would be 'ere long, only he was cautious in what he had to do, *car nous ſommes reſoluz de n'offenſer perſonne*. We have nothing more as yet of his Notification, or appearing in Publick. He hath ſeen ſome of his Allies, and they him, but without any Parade.

All I have from our Collegue Mr. *Hyde*, is a Letter of the 2*d* of *September* from *Fluſhing*: He was then going up for *Antwerp*. Some of his Baggage and Family are come into this River, but are hindered (a Matter of 10 or 12 Hours below us) from coming up by the contrary Winds.

It is but juſt now as I am cloſing, that I receive from M. *d'Avaux*, a Copy of the *Eclairciſſement* that the Biſhop of *Gurck* gave the Nuncio, upon his viſiting the *Spaniards*, the Day before he was to viſit the Ambaſſadors of this Aſſembly. I cannot but take Notice, that it is contrived, as if it had been written, not only by Way of preventing the Nuncio, before he ſhould have Cauſe to ask for any ſuch *Eclairciſſement*, but before the Interview itſelf between him and the *Spaniards* was made. But it is clear to me, by the Relation of the *French*, and by M. *Stradtſman*'s Words, that the Nuncio did not ſend to ask for it, till I had gotten mine over Night; and that it was not given the Auditor till the Morrow after that the Interview between the Biſhop and the *Spaniards* had paſſed. I am always, *&c.*

L. Jenkins.

To Mr. Secretary *Williamſon.*

Nimeguen, 13*th Sept.* 1677.

Right Honourable Sir,

Having ſince the finiſhing of this Day's general Diſpatch, (which I addreſs to Mr. Secretary *Coventry* in its Original, with a Duplicate to yourſelf by this Poſt) received the Favour of yours of the 4*th* Cur-

Current; I ſhall take Leave to do no more at this Time, than barely to acknowledge it, and the two Extracts in it; one of *Philip* IV. his Will, another of a Reſolution of the States General, relating to Prince *William* of *Furſtemburgh*; and by this Means put myſelf into the Courſe of addreſſing henceforward the Original Diſpatches to yourſelf, as we have been uſed to do, hoping that your next will bring me the Directions neceſſary upon the Points depending before you, and give me Occaſion to repeat the Aſſurances of my being, SIR, *&c.*

L. Jenkins.

Nimeguen, 17*th Sept.* 1677.

Right Honourable SIR,

SINCE my laſt, which was of the 13*th*, I have the Favour of yours of the 7*th* Current to acknowledge, and therein his Majeſty's expreſs Pleaſure to inſiſt for a Notification in the firſt Place, and before the *Imperialiſts*, from Count *Antoine*: This Mr. *Hyde* (who arrived here yeſterday in the Afternoon) comes Time enough to bear his Part in the Execution of; for the Count has not notified his Arrival as yet, tho' we are told he'll do it very ſuddenly; what was behind of his Equipage being come from *Amſterdam* on *Friday* laſt.

INCLOSED goes the Extracts of ſeveral Letters from the *Dutch* Miniſter at *Copenhaguen*, to the States his Maſters; being an Account how he had once eſtabliſhed the Paſſage of the *Holland* Letters through *Denmark*, and of the Interruption it had met with. I deſired M. *Beverning* to procure for me an Account of what the States had propoſed to themſelves, and effected in that Matter, that you may pleaſe to conſider, how far his Majeſty might think fit to propoſe it, and with what Alterations, in Favour of the Letters from *Sweden* to this Place, and from this Place to *Sweden*.

I do not find by M. *Beverning*, that the States are in a Way to get the Interruption that now lies upon all the *Holland* Letters remedied; only he ſpeaks with a very great Diſſatisfaction of the Proceedings of *Denmark*.

ON *Friday* I performed my Offices with M. *Heugh* (the beſt I was able) to get Right done to the *Swedes* (as they deſire in their Memorial): 1*ſt*, For the Liberty of their Letters. 2*dly*, For a Paſſage to their Couriers. 3*dly*, For the Reſtitution of thoſe Things that had been taken in the *Amſterdam* Galliot, returning from *Gottemburgh*. I had not Acceſs to him ſooner, by Reaſon he had been ill ſome Days of a Fever. It would be too long to trouble you with the Reaſons I urged him with, and with his Anſwers; for that you have had upon ſeveral Occaſions an Account of all that is to be ſaid *pro* and *con* upon that Subject; beſides that, I could obtain nothing of him, but that he would write to the King his Maſter, and give him an Account of this Application of mine, as an Inſtance renewed in his Majeſty's Name, after that the Contents of the *Swediſh* Memorial had been laid before him.

IN this Converſation I let him know, that his Majeſty had had lately Occaſion to take Notice of the Orders he had formerly given us, to have no Manner of Communication with the Pope's Miniſter here, nor to acknowledge him in the leaſt: That I had, upon the Knowledge of this, repeated to ſome of the Miniſters here, the Declaration that my Collegues and myſelf had made heretofore, purſuant to his Majeſty's

Orders

Orders in that Matter, and that in repeating the ſame to him, it was the beſt Account I was able to give him of his Majeſty's Judgment, as to the Government of his own Miniſters, in the Enquiry he had made of me ſome Time ſince, touching the having of Interviſits with the Nuncio.

We did not end this Converſation, without his falling very warm upon the Buſineſs of Count *Antoine*, and his interlacing of ſeveral little Stories at *Cologn*: The one was, that the *Dutch* Ambaſſadors had refuſed, being the laſt Comers, to viſit the Mediators, tho' they had an Intimation from them, that it was their Pretenſion and Deſire; and that M. *Beverning* had given them Leave to produce him (if need were) to juſtifie that Fact. Another Story was, that M. *Meyercroon* had told him, M. *Heugh*, Count *Tott* happened to come in, while M. *Courtin* was at his Houſe upon a Viſit to him, that they were in ſo great an Embarraſs, that neither of them would ſit down, but each endeavoured to gain the Chimney; and M. *Courtin* quickly broke off, whiſpering M. *Meyercroon* a Word in the Ear, and taking his Leave, as if Count *Tott* and he had Buſineſs together, which M. *Courtin* would not interrupt.

To the Practice at *Cologn* I could ſay ſomething poſitive; to the reſt of his Arguments, I oppoſed his Majeſty's preciſe Orders, and I knew nothing but to obey, and keep cloſe to them.

On *Sunday* I was to viſit M. *Chriſtine* upon his Return out of *Flanders*; he fell likewiſe upon the Buſineſs of Count *Antoine*; and being over that, he asked my Advice and Help, to get ſome Parcels of Books that he had bought in *Spain*; he having been adviſed by his Merchant at St. *Sebaſtian*, that there was no Way ſo ſafe, as to put them on Board an *Engliſh* Ship that went for *England*; but that then, unleſs there were ſome body to take Care of them there, they might come to ſome Inconvenience in the Cuſtom-Houſe. I told him, I had ſeveral Acquaintance of very good Note among the *Spaniſh* Merchants, and would do what I could to ſerve him by them: But that I found by my Letters out of *England*, that thoſe Merchants at this Time were, upon ſome Words and Writings ſcattered Abroad, put under Apprehenſion that *Spain* would make a War upon us; and that they feared it would be begun with ſeizing of their Goods, tho' we have a Treaty with *Spain* that is moſt expreſs againſt ſuch Seizures, if there ſhould happen to be a War: He ſmiled at it, and ſaid, there was no ſuch Danger: *L'Eſpagne n'eſt pas en état d'attirer plus d'Ennemis ſur le Bras.* I am always, *&c.*

L. Jenkins.

Nimeguen, 20th Sept. 1677.

Right Honourable Sir,

Since the laſt Diſpatch from hence, which was of the *17th*, we have the Favour of yours of the *11th* Current to acknowledge; and we humbly thank you for the Pains you are pleaſed to take, in repeating to us by it his Majeſty's Pleaſure concerning Count *Antoine*'s Viſit, and for the Notice you are pleaſed to give us, how we are to govern ourſelves, in caſe the *Dane* ſhould move us again, touching the Judgment his Majeſty may be of, in relation to the *Danes* having any Commerce with the Pope's Miniſter, or to their accepting the Mediation of *Portugal*; and tho' the late Declaration of his Majeſty to Count *Wallenſtein*, hath already been very lately communicated to M. *Heugh*,

yet we ſhall be ſure (both of us) to let him know once more in Form, the ſtrict Injunctions we are under, not to have to do with the Pope's Miniſter in any Manner or Thing either of Buſineſs or Converſation.

THE Return that his Majeſty is pleaſed to direct that we ſhould make to the *Spaniſh* Ambaſſadors, ſhall be made with the firſt Occaſion: But in Regard of ſome Applications made to us ſeverally by M. *Colbert* and to me Mr. *Hyde* by M. *d'Avaux* likewiſe, we humbly conceive, as the *French* are pleaſed to underſtand it, you will judge that his Majeſty's further Directions will be neceſſary for us in Incidents of this kind; for on *Sunday* laſt, M. *Colbert* having taken an Hour of me Sir *L. Jenkins*, began with me by way of Complaint, (tho' in very civil Language) that I had been, as they underſtood by M. *Barillon*, too haſty to repreſent the Account that the *Spaniſh* Ambaſſadors had given me, of a Deſign to ſet up a Treaty at *Rome* between the two Crowns, without acquainting them, the *French* Ambaſſadors, with the Charge; who would have been able, he ſaid, to ſatisfy me, that the Ambaſſador of *France* at *Rome* did not, nor could not offer at any ſuch Thing; it being the Meaning of the Moſt Chriſtian King, that all his Affairs ſhould be managed by the King our Maſter, in the Equity of whoſe Mediation he placed his greateſt Confidence.

I confeſſed freely I had done it; nor did I labour to excuſe myſelf any further, than in owning I might be eaſily miſtaken in my Conduct, eſpecially being here all alone; but that if there were a Fault in what I had done, it was for Want of better underſtanding my Part in this Function; it being my Perſwaſion, that the Embaſſy of *Spain* having charged me with a Relation of a Matter of Fact, which had not paſſed upon this Place, but ſo many hundred Miles off, and wherein there was not any Thing charged upon, nor ſo much as a Mention of the *French* Ambaſſadors here, nor of any Thing pretended to be ſaid or done upon this Place, I thought it had been committed to me as a Secret, to be laid in all Humility before the King my Maſter; and his Majeſty, not I, to give what Heed he ſhould think fit to the Relation; and diſcover by the Means and Methods he ſhould preſcribe, what Truth there was in it, and how and which Way the Thing was capable of an *Eclairciſſement* from the *French* Side.

HERE I took the Liberty ſo far, as to put it to him, Whether, if they, the *French* Ambaſſadors, had had the like Information from their Court, or from their Ambaſſador at *Rome*, that ſuch Overtures and Advances, in order to a Treaty there, had been made to *France* by the Marquiſs *del Carpio*, and deſired me humbly to repreſent it to his Majeſty; whether, in that Caſe, they would have allowed of my going to the *Spaniſh* Ambaſſadors, and taking upon me to hear what they would ſay by way of Oppoſition or *Eclairciſſement*, before I ſhould tranſmit ſuch a Relation to his Majeſty.

HE was not pleaſed to anſwer directly to this; but it being an Incident, new in its kind, he would not cenſure what was already done, but that for the future, deſired we would hear them upon any Information that ſhould happen to be given us to their Prejudice, before we reported it to his Majeſty; it being a Confidence that they have, he ſaid, ſome Title to hope from us, in Regard they intend to uſe all Confidence towards us, as principally relying upon his Majeſty's Mediation.

THE very ſame Diſcourſe, M. *Colbert* firſt, and then M. *d'Avaux*, held to me Mr. *Hyde*, at the firſt Interviews I had with them now at my Return; deſiring, that however this firſt Incident had paſſed, we ſhould do no ſuch Thing for the future without firſt hearing them; giving for

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a Reaſon, that they would be ſure to deal with all Sincerity and Openneſs with us, their Orders being ſo, and their Inclinations likewiſe, their ſpecial Confidence being in his Majeſty's Mediation, and not in the Pope's, whom they find to be very partial to the *Spaniards*; they telling me further, that if any Propoſition be made to them by the Pope's Miniſter, or by any other Means or Party whatſoever, it ſhall not remain for ſo much as one Hour's Space in their Hands, but they will forthwith acquaint us with it.

We take Leave to lay before you this minute Account, that we may have his Majeſty's gracious Directions, how to govern ourſelves in the like Caſes for the future; for it is our humble Opinion, that every Thing that is depoſited with us, in Order to be laid before his Majeſty for his Information, ought to be a *Secret* towards All others; and that it is then only we are at Liberty to endeavour an *Eclairciſſement* with the adverſe Party, when the Party that makes the Charge deſires it, or when his Majeſty directs it; or elſe when the Charge is of ſuch a Nature, as to become a preſent *Accrochement* to our Negotiation here, and that not to be taken away, but by an *Eclairciſſement* from the other Side.

Upon the firſt Interviews I Mr. *Hyde* had with Meſſieurs *Colbert*, *Heugh*, and *Beverning*, they ſeverally enlarged themſelves, concerning the Difficulty now depending about Count *Antoine*'s Notification and Viſit; but M. *Colbert* having taken upon him to enter into this Buſineſs, and having been with me ſeveral Times, on *Tueſday*, yeſterday, and this Day about it, the Subject-Matter of all was the following Expedient, *viz.* that Count *Antoine* ſhould, inſtead of notifying his Arrival to the Mediators, come and viſit them in *Parade*, yet without notifying them of his Arrival, or expecting their firſt Viſit to him, and that he ſhould at this Viſit produce his *Plenipouvoir* to the Mediators.

When this ſhould be over with the Mediators, he would have the Count notifie his Arrival to the *Imperialiſts*, and the reſt of the Ambaſſadors in the uſual Manner, and then receive their Viſits of Ceremony; M. *Colbert* declaring himſelf to be of Opinion, that the Buſineſs thus carried, the Reſpect to his Majeſty would be the greater, in that the Mediators are made, as it were, Judges of the Count's *Plenipouvoir*, and that it lies in their Power (which M. *Colbert* really looks upon as belonging to the Function) to declare Count *Antoine* Ambaſſador or not, as they ſhall find his Powers in good Form or otherwiſe; he conceiving that the firſt Viſits in all Caſes were ordered to be made to the Mediators at *Cologn* to that End. To this I told him, I could anſwer nothing, till I had firſt diſcourſed it with my Collegue, which I told him I would do, and return him both our Opinions upon it.

This being on *Tueſday* over-Night, next Morning (which was yeſterday) your Letter of the 11*th* came to Hand, than which there can be nothing more expreſs, for our inſiſting upon a firſt Notification; which made us both conclude, that whatſoever had the Name of an Expedient, was therefore to be avoided by us, and that the leaſt Variation from the Methods hitherto uſed in this Place, both in notifying and viſiting, was not to be adventured upon by us, without new Orders from his Majeſty.

When I acquainted M. *Colbert* with this, he was ſatisfied as to one Part, that we could not with Safety depart from the Letter of our Orders, but wiſhed however, that we would write of it into *England*; which gave me Occaſion to ask him, whether we ſhould mention it as an Expedient that he propoſed of himſelf, or elſe as a Thing he believed the *Dane* would give in to? To which he anſwered, it was yet

no more but an Expedient of his own thinking on, but he would ſpeak of it to M. *Heugh*, and then be able to tell me more.

THIS Morning, he, M. *Colbert*, came again to me, and deſired me to write of this Expedient as a Project of his own, in Regard that having ſpoke with M. *Heugh*, he had no other Anſwer from him, than that he would ſpeak firſt with his Allies; M. *Colbert* telling me further, himſelf would write of it to M. *Barillon*, as a Thing in which he was perſwaded his Majeſty's Dignity would not ſuffer.

THERE being nothing elſe of Buſineſs in Agitation upon this Place, we are perpetually attach'd almoſt in all Converſations as if we, who ſhould, in Virtue of our Office, remove all Difficulties, were difficult of ourſelves, and will bring an *Accrochement* upon the whole Negotiation by this Buſineſs of Count *Antoine*'s. The beſt Anſwer and Defence that we can make is, that his Majeſty, in this Pretenſion, does not propoſe to himſelf any other Advantage, than to maintain the Dignity of all Kings, which would ſuffer, if the Emperor were allowed to be of another Order above them; and that if any one Ambaſſador ſhould not pay the firſt Reſpect to the Mediators, as all the reſt have done hitherto, all the reſt would retract what they have already done, and his Majeſty's Miniſters would be in the ſame Embarraſs with thoſe of other Crown'd Heads, as thoſe Miniſters are one with another, and conſequently would be uncapable to tranſact any Buſineſs with any of them in any third Place. We remain always, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 24th Sept. 1677.

Right Honourable SIR,

SINCE our laſt, which was of the *20th*, we have the Favour of yours of the *18th* Current to acknowledge; and therein his Majeſty's Pleaſure, touching the Intereſts of the Duke of *Courland*, in Caſe they ſhould come to be conſidered of in this Aſſembly.

AS to the Perſon that has the Secret for preparing Pitch for ſhipping, he is written to, according to the Addreſs he hath left here, and deſired to come over hither, with an Intimation that we ſhall take a Journey into *England*. If we do not hear from him within ſuch a Time as the Letters (which come and go by a Courier) do uſually return, we will ſend one on Purpoſe to find him out.

ON *Thurſday*, the *Spaniſh* Ambaſſadors came at an Hour they had taken of us, to deſire our Offices towards the *French*, for the ceaſing of certain great Rigours, that the Intendant of *Lille* threatens to proceed to againſt ſome Perſons of the beſt Quality in *Flanders*, that have Eſtates within the *French* Conqueſts.

THE firſt Proceedings at *Lille* were by Way of Repriſals, upon Occaſion of the *Spaniards* proceeding againſt the Baron *de Quincy* as a Deſerter; but, notwithſtanding the *Spaniards* have ſince ceaſed their Proceedings, the *French* have revived and go on with theirs, and have ſummoned ſeveral Perſons to come in, and render themſelves within two Months in the *French* Quarters, and there take the Oath of Fealty to the Moſt Chriſtian King, or elſe to have their Caſtles razed, and their Trees cut down. How the Matter of Fact hath been carried on by Way of Proceſs by the one Side and the other, will appear by a Memorial they left with us, the Copy whereof goes herewith encloſed. But;

the main Grounds they propoſed in Order to move us to do our Offices in this Caſe were, that now we are entring into Negotiations for a Peace, ſuch Cruelties (having been never known in former Wars) would beget an Averſion from Treating, and render the People deſperate; and that if ſuch further ruinous Courſes were taken, there would be little left to the Subjects of *Spain* to treat about.

We performed this Office with the *French* Ambaſſadors next Day; but the *French* deſired to be excuſed from charging themſelves with Writing upon any ſuch Subject to their Court, as being foreign to their Commiſſion. It cannot be denied, they ſaid, but their King may uſe ſuch Endeavours to weaken his Enemies, they having thoſe that are really the Subjects of *France* in their Troops in great Numbers; that the *Spaniards* will doubtleſs uſe the ſame Endeavours againſt the *French:* That if the *Spaniſh* Ambaſſadors had any Propoſition to offer them towards the Peace, they would receive it, and anſwer to it; but for this, let the *Spaniards* take their Remedy where they could, they would not ſo much as take the Memorial out of our Hands, we preſenting it to them, telling us, they had been preſſed by the Nuncio in the Morning to the ſame Effect, but that they had excuſed themſelves in the ſame Manner.

In this Converſation, the *French* Ambaſſadors acquainted us with the great Readineſs their Maſter is in to come to a Peace; that he was willing to give the States General the ſame Terms for the Commerce and Navigation of both Nations, that had been agreed by the Treaty in 1662. That the *Dutch* Ambaſſadors did finally inſiſt to have the *Droict de* 50 *Sols per Tonneau* aboliſhed, and deſired a Fixation of the foreign Duties upon a more moderate Foot than now it is: That the Moſt Chriſtian King hath not thought fit to comply with them in either of thoſe Points, which are the main Things in Difference between them; that they, the *French*, could have wiſhed, they would have come to a full Agreement; and the rather, becauſe the *Dutch* Ambaſſadors would have been (their own Affairs being once fixt) very zealous to ſecond our Offices in the Mediation, and would have preſſed their Allies to come to Reaſon. That they, the *French*, thought it was ſuitable to the good Correſpondence they deſire to hold with the Mediators, to communicate to us the State that their Affairs with the *Dutch* at preſent are in, to the End we might be privy to every Thing that hath paſs'd between them and the *Dutch*.

This is the Subject and Subſtance of a long Diſcourſe M. *Colbert* made, to which we did not ſee any Thing we had to reply, more than to thank him (as the Stile is) for the Communication.

We took this Occaſion to remind them of the *Lorain* Propoſition that is in their Hands, and of the longings of that Miniſter for an Anſwer; but they let us know, there was none to be expected, till the Biſhop of *Strasburgh*'s Miniſter be acknowledged, and his *Plenipouvoir* received by the *Imperialiſts*.

This being over, M. *Colbert* entred upon telling us, how M. *Heugh* ſeemed to be (the Night before) leſs difficult than he uſed to be, in allowing the Mediator's Plea to be viſited before the *Imperialiſts*; but that he, and Count *Antoine*, can do nothing, till they have the Anſwer of the King of *Denmark*, upon what they had repreſented of the Expedient, that he, M. *Colbert*, had propoſed to him; which was, (as you'll find by our laſt) that Count *Antoine* ſhould give us a Viſit *en Parade*, but without notifying us, or expecting the firſt Viſit from us, and then notify the other Ambaſſadors, and receive their firſt Viſits in

the

the uſual Manner. He told us beſides, how M. *Heugh* had intimated to him, Count *Antoine* would be glad to give us a Viſit in private, and without *Parade*; and that he, M. *Colbert*, had delivered it to him as his Opinion, we could not receive him, he having ſo long ſince viſited in that private Manner, not only the *Imperialiſts*, but the greateſt Part of the Ambaſſadors and Miniſters here.

On *Saturday*, we gave the *Spaniſh* Ambaſſadors an Account, how the *French* Ambaſſadors had excus'd themſelves from doing any Thing upon their Memorial: The Reflexion they made upon it was, that we might judge from ſuch an Anſwer, how little Inclination the *French* had to a Peace.

The ſame Evening, we gave M. *Oxenſtiern* an Account of the Offices performed both with M. *Heugh* and M. *Petcum*, about the Paſſage of the *Swediſh* Letters and Couriers, and about reſtoring the Things taken in the Galliot, with the Anſwer they had given, which was no more, but that they would write to their Court.

M. *Oxenſtiern* ſeemed to be much in Apprehenſion, that the Anſwers from *Denmark* would be delayed, for that there had Time enough already paſſed to receive them in. He was therefore very inſtant, we ſhould carry the Buſineſs, and deliver that Memorial of theirs we have in our Hands, to the Aſſembly of the Allies, to the End he may be in ſome convenient Time at a Certainty, and know what to truſt to; telling us, his ſtaying here much longer would be to no Purpoſe; and that they, the *Swedes*, intended the Memorial for their Proteſtation, in Caſe they were forced to leave this Aſſembly, which they would be ſorry ſhould fall out, in Regard the *French* were obliged by Treaty to follow their Example, which would be, as he feared, a diſſolving of this Congreſs.

Having given him an Account of what his Majeſty's Judgment and Directions to us were, concerning Memorials that ſhould happen to have Terms of Sharpneſs in them; we told him, we would, if he ſo thought fit, firſt do our Offices with the Confederates ſeverally, and then give him an Account, how far we ſhould prevail with them, to ſecond our Offices with the *Dane*; this he accepted of, but preſſed us to procure a ſpeedy Return, without which, he ſaid, he muſt again declare it to be to no Purpoſe for him to ſtay here.

Yesterday we began to do our Offices in this Matter with M. *Beverning*; he was ſenſible of the Inconvenience the *Swedes* labour under, for Want of Communication with their Court; but that he did not look upon their Affairs to be in ſuch a Poſture, as would encourage them to leave this Place ſo abruptly; nor did he ſee what Advantage they would get by it: On the other Side, he did profeſs not to like of the Voyage that M. *d'Olivenkrantz* has made; and he thought, that there appear'd of late leſs Inclination in the *French* to a Peace, than formerly, *& qu'ils ſongent à une autre Campagne.* For the *Swediſh* Letters, he promiſed he would ſee what he could do with M. *Heugh*, and would try what would ſatisfie M. *Oxenſtiern*, and would alſo write to the Penſioner upon this Occaſion, tho' the States have not much of Satisfaction with the *Dane*; and that he thinks this may be the laſt Supply the States will ſend them.

After we had finiſhed our Diſpatch, Meſſieurs *Kinski*, *Heugh* and *Beverning* came to us, in the Name of the Allies; and having repreſented to us, how the Matter of *Lorain* ſtuck ſtill in their Way to any further Progreſs, and how deſirous they were to advance the Negotiation of the Peace; M. *Kinski* took out a Paper, which we have juſt

Time

Time enough to get a Copy of, to go herewith incloſed. M. *Kinski* having read the Preface in it, and what relates to the Emperor and *Spain*, M. *Heugh* went on, and read the Paragraph that concerned *Denmark*, then M. *Kinski* went through with the reſt. Their Deſire to us was, that we would not take it *pour un Ecrit formel*, but that for better Certainty we would order a Secretary of our own, to take it from theirs by Way of *Dictate*, and then that we ſhould do our Offices upon it to the Parties. M. *Beverning* gave us a Hint laſt Night, he ſhould be with us upon ſuch Office in the Name of the Allies; but that his Name, nor the Concerns of his Maſters, would not be in; for that their Affairs were nearer a good Underſtanding than thoſe of the reſt of the Allies. We are, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 27th Sept. 1677.

Right Honourable Sir,

OUR laſt was of the 24*th*, ſince which we have none of yours to acknowledge.

On *Tueſday* M. *Beverning* ſent us a Memorial, wherein he ſets forth, how the States had conſtantly taken Care, that all *French* Priſoners taken at Sea had been ſet at Liberty as ſoon as they were brought into any Port; how he had formerly deſired the Mediators to endeavour to draw ſome Light from the *French* Ambaſſadors, what the Moſt Chriſtian King would think fit to do in the like Caſes, how the *French* Ambaſſadors had given Hopes the States might expect the like Treatment, and had deſired a Copy of the Memorial at that Time preſented by the *Dutch* Ambaſſadors, and had promiſed to write of it to their Court. But now again, upon Occaſion of ſome *Dutch* Priſoners, lately taken at Sea, coming from *Surinam*, and carried into *Rochel*, he, M. *Beverning*, deſired us to repreſent it to the *French* Ambaſſadors, that they might come to a Regulation of this Matter in general for the future, and that the Men now carried into *Rochel* might be ſet at Liberty; the Copy of the Paper ſent us by M. *Beverning* goes herewith incloſed.

The *French* Ambaſſadors anſwered us, that they would write of it to their Court, and that they believed this Particular would be redreſſed before their Letters could arrive, it being the Intention of the King their Maſter, that ſuch as are actually taken at Sea be not detained Priſoners, the Captains and Lieutenants of Corſairs only excepted.

Yesterday we proceeded in doing our Offices with the *Imperialiſts*, concerning the Memorial left with us by the *Swedes* Ambaſſadors, of which we begun to give you an Account in our laſt, to wit, that we had been with M. *Beverning* about it.

The *Imperialiſts* diſputed the Matter very much, and ſaid, that it was but equal Treatment with that the *Spaniards* received from the *French*, and that the Liberty the *Spaniards* had of ſending their Letters once in 15 Days through *France*, was upon the Account of a former Agreement between the Poſt-Maſters, and no new Liberty granted for this Treaty, and therefore not to be urged for an Argument, that therefore the *Danes* ſhould allow ſuch a Paſſage to the *Swedes*; and at laſt the Biſhop of *Gurck* very roundly told us, that the only Way to gain any Thing in this Matter was, for us on our Sides, and the *Swedes* on

on theirs, to preſs the *French* to give ſuch a Liberty to the *Spaniards* for their Couriers, as had been granted in all other Treaties, and particularly inſtanced in that of *Munſter*, which he ſaid was unlimited; they concluded however at laſt, that they would not fail to repreſent to M. *Heugh*, what we had offered to them in this Buſineſs, and deſired we would do our Offices in the like Manner with the other Allies.

After this, we took Occaſion to preſs them concerning the Admiſſion of the Envoy of the Biſhop of *Strasburgh*, and the receiving of his *Plenipouvoir*; they told us, that in very few Days they would return us an Anſwer to this Particular, and that they hoped they ſhould make it appear to us, they were not in the wrong towards the Biſhop of *Strasburgh*.

We ſent you a Paper in our laſt, that Meſſieurs *Kinski*, *Heugh*, and *Beverning*, had delivered to us by Way of Dictate, to be by us in like Manner delivered to the *French* Ambaſſadors; we took Exceptions at the Clauſe *contre toute droit* in it, out of Apprehenſion that it might lead to Sharpneſſes, and ſome other Words of Exaggerations, which we thought might have been better ſpared; they could not give Way, they ſaid, to the leaving them out, without reporting them to the Body of the Allies, which they promiſed they would do, and give us an Account of their Opinion.

Laſt Night late, the ſamē Ambaſſadors came again to us, and declared themſelves willing to leave out that one Clauſe; for the other Words, we ſaw they made a Difficulty, and we did not ſtand upon them, hoping they may paſs without Offence.

Since we writ thus far, we have the Favour of yours of the 21*ſt* to acknowledge; what you are pleaſed to recommend in it touching the Treaties between *France* and *Sweden*, the new Toll of *Gluckſtadt*, and the Paſſage of Letters by the *Amſterdam* Bag, we will make what Enquiry we can, and ſend you an Account of what we can learn.

We were this Morning with the *Spaniſh* Ambaſſadors, as we had been before with the *Imperialiſts*, to deſire their Offices with their Ally the *Dane*, to give the Eaſineſs that is deſired to the Paſſage of the *Swediſh* Letters; the Sum of their Anſwer was, that tho' they had Cauſe to complain of *France* in that Particular, yet they would rather help, than make the Matter more difficult. We remain always, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 1*ſt Octob.* 1677.

Right Honourable Sir,

Our laſt was of the 27*th* paſt, ſince which we have not the Favour of any from you to acknowledge.

In that Diſpatch, we gave you an Account, how that we had taken Exceptions to ſeveral Expreſſions in a *Dictatum* that we had ſent you the Poſt before, being delivered us by Meſſieurs *Kinski*, *Heugh*, and *Beverning*, as Deputies from the Body of the Allies; that we had got them to leave out the Clauſe *contre tout droit*, but the other Words they would not part with.

Now we can give you an Account of that whole Proceeding, more fully than we could by our laſt, there having ſeveral Things not unworthy your Knowledge, as we conceive, paſs'd in this Affair. The

Words

Words *contre tout droit*, we took Exceptions to, upon M. *Kinski*'s firſt reading the *Dictatum* to us, which was this Day ſevennight; we alledged for our ſo doing, the ſtrict Orders we had from his Majeſty, to watch that nothing ſhould eſcape us in any Writings between the Parties that might lead to Sharpneſſes, as that Expreſſion, we feared, would do.

M. *Beverning* hereupon not diſliking the Motion, told us, that we ſhould do beſt to take the whole *Dictatum*, and conſider if there were any more Expreſſions leading that Way, the other two agreeing to it; we thanked them for the Liberty they gave us, and we parted for that Time.

On *Wedneſday* we took an Hour of the Deputies abovenamed, but M. *Beverning* came not. We laid before them ſeveral other Exceptions that we took to be material: We do not charge this Letter with thoſe Exceptions, nor our Reaſons, but we ſend you the *Dictatum* of the Allies once more, with the Words we excepted againſt ſtroked under, with a Hint of our Reaſons in the Margin.

On *Wedneſday* at Night, the Allies met upon theſe Exceptions, and the ſame Deputation came from them to us, to tell us, that they thanked us for our Reflexions, but could not conſent to any Change, it being now too late to do it; for that the ſeveral Parties had taken Copies of the *Dictatum*, as it was firſt drawn up and agreed to between them, and having ſent it to their ſeveral Courts, could not now depart from any Words in it.

We told them how preciſe his Majeſty's Inſtructions were to us, to uſe all Means to avoid Sharpneſſes; and further, that the Liberty we had taken, had been granted us by themſelves: Beſides, we obſerved to them, that we were founded in that Liberty from a general Agreement of all Parties in this Aſſembly about eight Months ago: It being then agreed, 1. That the putting of Things into Writing ſhould be avoided as much as could be, and that the Treaties ſhould be carried on, the Mediators applying themſelves by Word of Mouth to the Parties. 2. That ſince there might be Occaſions, wherein the Parties ſhould think fit and neceſſary to draw up Writings in Form, and to have them delivered in their own Words to the Parties, that that might likewiſe be done. 3. That in Matters of Moment, wherein the Change of a Word might alter the Senſe, or weaken the Reaſoning, to the Prejudice of the Party propounding, the Mediators might take the eſſential Words in Writing; but that the putting of them into Form and Argumentation, ſhould be left to themſelves.

That this being agreed between all Parties, it was hard to put us to alter it, and to impoſe upon us the *Dictatum* of Words, that were acknowledged of all Hands not to be eſſential; whereas we ought to be left to our Liberty, whenever we dictate any Thing, to uſe our own Words, provided we take not from the Senſe propoſed by the Parties.

To this the Deputies had not much to oppoſe, but told us, they would quit the Words *contre tout droit*, if the *Spaniards* would do it; but that muſt be their Act, in Regard they had inſerted it in the Paragraph that concerned them.

M. *Beverning* was preſent at this Converſation, but ſaid little; on *Friday* he called upon us, and told us, among other Things, he ſo far diſliked his Errand upon the laſt Deputation, that he would never be brought to go upon the like again; that he had ſet down our Reaſons in his Journal, with his Remarks, that others may ſee how unreaſonably we are oppoſed.

On *Thurſday*, having an Audience with the *Spaniards* about the *Swediſh* Letters, we moved them (the Allies having referred us to them) to leave out the Words *contre tout droit* in the *Dictatum*, but they were ſo difficult, that tho' we told them the Deputies of the Allies had not only declared their Readineſs to quit that Clauſe, but charged themſelves to diſpoſe the *Spaniards* to do the ſame, yet they would not reſolve to declare themſelves, till they had firſt ſpoken with the Allies; and at ſix a Clock on *Thurſday*, after the Poſt was gone, they brought us Word, which the Allies had given us Aſſurance of before, that they left the Clauſe *contre tout droit* to our Diſcretion.

We find that this very *Dictatum* was carried to the Nuncio, to do his Offices upon it; that he reformed it, as you will ſee by the Copy that goes herewith incloſed, wherein not one of the Words or Clauſes that we had taken Exceptions to, but were left out; and further, as we found by the *French* Ambaſſadors, that he was left at perfect Liberty to change what he ſhould think fit in the Writing, nay, to do his Offices without delivering of any Writing at all.

We take Leave to tell you this long Story, and withal to obſerve unto you, that this Writing could be put into the Nuncio's Hands by no other but by the *Imperialiſts*, *Spaniards*, and *Lorainer*; and conſequently, that this Liberty to the Nuncio was given by ſome or all of them: That we had taken no Exceptions to the Clauſes that related to the *Dane* or *Brandenburghers*, by which you will be able to ſee, by whom theſe Difficulties have been put upon us.

On *Saturday* the *Swediſh* Ambaſſador was with us, to tell us, that having conferr'd with M. *Beverning*, he was willing (for the Paſſage of his Weekly Diſpatches) to admit of this Expedient, *viz.* That his Letters and his Collegues ſhould be taken up at *Amſterdam*, and go along with the ordinary Mail that goes from this Country (as often as it goes) through *Denmark* for *Sweden*, provided they may be ſealed up in one Bag with Two Seals, at the *Comptoir* in *Amſterdam*; the one Seal to be an authentick one of that Town, the other of a Commiſſary, that ſhall reſide there for that and other Affairs of *Sweden*; that the Letters ſo ſealed up ſhould paſs all Places in *Denmark* untouch'd, and be delivered to the *Swediſh* Commandant that ſhall be at *Elſenbourg*, or elſe at *Helmeſtadt*, as ſhall be agreed: That the Letters coming from *Sweden* ſhall be ſealed up likewiſe at *Elſenbourg*, or *Helmeſtadt*, under the Seal of the Commandant in the Place, and under the Seal of ſuch a Commiſſary, as ſhall be there in the Behalf of theſe States: That the *Swediſh* Pacquet ſo ſealed, ſhall paſs untouch'd through *Denmark*, and ſhall be delivered ſafe to the *Swediſh* Commiſſary in the *Comptoir* of *Amſterdam*: That the free undiſturbed Paſſage of Letters, according to this Expedient, ſhall be warranted by the Stipulation of all the Confederates here, and that the Pacquets to or from the Ambaſſadors ſhall not be ſtopt upon any Pretence whatſoever, but the Poſt-maſters to forward them after the uſual Manner, tho' the Mail of *Amſterdam*, or other Letters coming from, or going towards *Sweden*, ſhould be ſtopt, upon any Occaſion whatſoever. And this Expedient M. *Oxenſtiern* is content to ſtand by, until he know the Pleaſure of his King, whether he will give into it and ratifie it or not.

M. *Spanheim* acquainted us yeſterday, that the Difference between his Highneſs the Prince Elector *Palatine*, and the *Imperialiſts*, was now ſo far accommodated, that he expected their Offices would be ſuddenly made towards us, and his Pretenſions put by the *Imperialiſts* into our Hands; he left a Copy with us of the Letter that his Electoral Highneſs

neſs had writ to them, the *Imperialiſts*, upon this Subject, which goes herewith incloſed. He deſired our beſt Offices, when it ſhould come to our Turn to appear in his Maſter's Buſineſs; telling us, that his Majeſty had vouchſafed, when he, M. *Spanheim*, was laſt in *England*, to promiſe all Aſſiſtance to his Electoral Highneſs in this Place; in which we deſire to receive your Directions, as we happen to ſee further into the Nature of his Buſineſs. He told us, the Emperor had very lately notified the Elector, of a League he was entred into with the Elector of *Mentz*: His Electoral Highneſs has (it ſeems) a ſpecial Concern, that that League be not to his Prejudice, in Reſpect of ſeveral Rights and Controverſies that he hath depending with the Electors of that See ſucceſſively; therefore that this Anſwer was Matter of Civility only to the Emperor's Letter, reſerving himſelf till he ſhould be informed of the Contents of the League. We remain ever, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 4th Octob. 1677.

Right Honourable SIR,

SINCE our laſt, we have the Favour of yours of the 25*th* and 28*th* of the laſt to acknowledge.

AS to the Paſſage for *Holland* Letters to and from *Sweden* through *Denmark*, we ſent you in our laſt a Propoſition from M. *Oxenſtiern*; upon this Occaſion of the *Swedes*, we are put in Mind to give you an Account, that having made Enquiry about the Treaties made between the *French* and them, and eſpecially of the laſt, in order to have ſent you Copies of them, we are informed by M. *Beverning*, there is no ſuch latter Treaty made, and that the *Swedes* are wavering and doubtful; and there are ſome Propoſitions depending for their coming over to the Confederates, tho' the *French* offer to double their Subſidy, and to ſee them reſtored to all they have loſt; this he ſaid in Confidence; a Copy of the Treaty made by Baron *Sparr* we are laying out for, but cannot promiſe any Thing in M. *d'Olivenkrantz* his Abſence.

ABOUT the *Gluckſtadt* Toll, we have not been able to do any Thing, M. *Beverning*, by whoſe Means we thought we ſhould be enabled to give you an Account of it, having been for 3 or 4 Days out of Town with the Prince of *Orange*.

WE ſtick to the Reſolution you are pleaſed to approve of, in not admitting any Expedient about Count *Antoine*'s Notifications.

ON *Thurſday* laſt, we received a Paper from the *Imperial* Ambaſſadors, which we had not then Time ſo much as to ſend you a Copy of, and ſince that, becauſe it had not yet taken its Courſe, we omitted it likewiſe in our laſt Diſpatch; we muſt therefore return ſo far back, that you may have that whole Matter before you.

THE Copy of it goes herewith incloſed, and contains the Reaſons of the ſaid Ambaſſadors, againſt admitting the Miniſter of the Biſhop of *Strasburgh* to treat here; becauſe the Cogniſance of the ſaid Biſhop's Cauſe belongs only to the Emperor and Empire, and that it can only there be tried *tanquam in foro competente*, as you will ſee more at large in the ſaid Writing. The *Imperial* Ambaſſadors having thus opened it to us, they ſaid, they would leave it with us by Way of *Dictate*, and ſo, without reading it, left a Secretary of theirs to dictate

it to one of ours, and deſired we would in like Manner communicate it to the *French*.

On *Saturday*, we were with the *French* Ambaſſadors, about the *Dictatum*, containing the Propoſitions of all the Allies, (of which we gave you an Account in our laſt) and made the Communication of it in the Manner the Allies had deſired; the Anſwer they made upon it was no more, but that they would take Time to conſider of it with their Allies.

In this Converſation, we acquainted them, how we were charg'd with another Writing, which was that abovementioned, and now encloſed, againſt admitting of the Biſhop of *Strasburgh* or his Miniſter here, which the *Imperial* Ambaſſadors have put into our Hands, to be communicated by dictating in the uſual Manner. They told us, they had received already a Memorial to the ſame Effect from the Nuncio; but that in Regard it appear'd plainly to them, there was a Deſign in it *de donner une Atteinte à la Mediation du Roy de la Grande Bretagne*, and that there might be not improbably ſome little Contrivance between the *Imperialiſts* and the Nuncio, to carry on this *Atteinte*, (it was the Word they uſed all along) they were reſolved to carry back (as they did) that Memorial to the Nuncio, and to tell him, not only that they could not receive any ſuch Memorial, becauſe of the *Atteinte* that ſeemed to be intended by it to his Majeſty's Mediation, but alſo to let the Nuncio know, that what *Atteinte* ſoever ſhould be given to the King's Mediation, the Pope's would not be long without receiving the ſame Meaſure. The Nuncio was, upon their going to him, (as they told us afterwards) perſwaded to take this Memorial, concerning the Biſhop of *Strasburgh*, back again; but upon ſecond Thoughts, he ſent for the Biſhop's Miniſter, M. *Ducker*, and gave him the Memorial to carry back again to the *French* Ambaſſadors, which he did; but they immediately ſent for the Nuncio's Auditor, and complaining of the Surprize upon M. *Ducker*, obliged him to take the Memorial back again.

The *French* having thus acquainted us with what had paſſed, deſired to be excuſed from receiving the Paper from us, and that we would have Patience for their further Anſwer, till they ſhould ſpeak again with us.

On *Sunday* they were with us, and ſhewed us the Anſwer they had given to the Nuncio, and deſired that the Anſwer we ſhould give, might be to the ſame Effect. The Anſwer they had given to the Nuncio, they read to us out of their Notes; it was the ſame to us; that we ſhould tell the *Imperialiſts*, that as we were opening the Contents of the Dictate to them, the *French*, we found them very fully informed of it, and excuſed themſelves from entring further into it; that all they could do was, to repeat their Declarations heretofore made, that the Biſhop of *Strasburgh* is an Ally of *France*, and that they do now make a new Inſtance, to have his Miniſter acknowledged in the Quality of an *Envoyé* of a Prince allied with the Moſt Chriſtian King; that in Regard they hope the *Imperial* Ambaſſadors will comply with this Inſtance of theirs, they, to the End the ſincere Intentions of his Moſt Chriſtian Majeſty for the Advancement of the Peace may the better appear, do depoſite in our Hands the Propoſition of the Biſhop of *Strasburgh*, to the End it may be conſigned to the *Imperial* Ambaſſadors, as ſoon as the *Plenipouvoir* of the Miniſter of the Biſhop ſhall be accepted, and not before, nor upon any other Terms; the Propoſition it ſelf, we take leave here to encloſe. And they further gave us to underſtand,

that

that all the Time that that Miniſter ſhall not be acknowledged in that Quality, nor his *Plenipouvoir* admitted, they, the *French* Ambaſſadors, are not able to anſwer, or to make any Advances in the Propoſition of *Lorain*; and that for that Reaſon, they deſire to be excuſed from entring into any Conſideration of the *Dictatum* that the *Imperialiſts* have put into our Hands againſt the Biſhop's appearing here.

THE *Atteinte* that they conceive to be intended to his Majeſty's Mediation lay in this: There is a Paragraph in the *Dictatum*, and they obſerved to us, there was the very ſame Word for Word in the Nuncio's Memorial; That the *French* Ambaſſadors had declared, in the Preſence of my Lord *Berkley*, and me Sir *L. Jenkins*, that the Biſhop of *Strasburgh* was no Ally of *France*, and that there was no Treaty between him and *France*, and that the Lord *Berkley* and I had reported this Declaration to the Ambaſſadors of *Denmark* and the States General upon the 11*th* of *January* laſt, which is ſo far, to the beſt of my Remembrance, from being ſo, that after all the Search I have been able to make, I cannot find any ſuch Thing; but, on the contrary, that my Lord and I were charged by the *French* Ambaſſadors, to give it for one of the three Reaſons, why they would not admit the Clauſe *qui ſont contre nous en guerre*, (for a Limitation to the Word *Alliez*) in the common Form of *Plenipouvoirs*; that if thoſe Words were admitted, then the Biſhop of *Strasburgh* would be excluded from entring into this Treaty. And tho' it be thus unlikely, that my Lord *Berkley* and I ever ſaid any ſuch Thing from the *French* Ambaſſadors, yet M. *Kinski* ſays, he took Atteſtations about that Time from Meſſieurs *Heugh*, *Beverning*, and *Van Haren*, that we had reported to them a Declaration of the *French* to that Effect.

M. *Beverning* hath confeſſed there was ſome ſuch Atteſtation given, in the Month of *January*, for the Satisfaction of M. *Kinski*, who would not have conſented to the paſſing of that common Form; but that he was ſatisfied, by Means of that Atteſtation, that the Biſhop of *Strasburgh* was no Ally, and conſequently could not come into this Treaty, tho' the Word *Alliez* ſhould be in the *Plenipouvoir*, and the Clauſe *qui ſont contre nous en guerre* had been left out.

M. *Heugh* was deſired to furniſh an Atteſtation too, as he hath lately told us; but that which he ſent M. *Kinski* being not full to his Mind, it being ſent him back again to be drawn up more fully, it remained in his Hands, and ſo there is no written Atteſtation of M. *Heugh*'s in the Caſe, nor have we ſeen M. *Beverning*'s.

NOW that which the *Imperialiſts* drive at is, to preſs our Offices upon this *Dictatum*; and to have me, Sir *L. Jenkins*, Party to the dictating of it; which if I do refuſe, as they know I muſt, having told them not only that I remembred no ſuch Thing, but that my Notes do imply the contrary very ſtrongly, they will have a Pretext to complain, that I refuſed to bear witneſs to a Declaration, which three Ambaſſadors do atteſt that my Lord *Berkley* and I had reported to them. What the Atteſtation in Writing is, I cannot tell, nor what M. *Van Haren* (who is out of Town) can ſay in the Buſineſs, but M. *Heugh* and M. *Beverning* do both ſay, that what was ſaid in that Caſe, was, to the beſt of their Remembrance, ſaid by my Lord *Berkley*.

HOWEVER, the *Atteinte*, as the *French* Ambaſſadors call it, is viſible enough; and the rather, in that tho' I were able to teſtifie, that the *French* had made this Declaration in *January*, yet ſuch a Teſtimony would not be to much Effect, ſince they have, upon ſeveral Occaſions ſince that Time, declared the Biſhop to be an Ally of *France*, and do de-

declare him ſo ſtill, and pretend that it is in their Power to receive whom they pleaſe into their Alliance, and when they are received, to bring them into this Treaty, in Virtue of the common Form of *Plenipouvoirs*, which run not only to treat with each Principal, but his Allies.

On *Monday*, we were with the *Imperial* Ambaſſadors, to give them the Anſwer we had received from the *French* to their *Dictatum*, concerning the Biſhop of *Strasburgh*: They ſeemed at firſt to wonder, how the *French* were ſo well informed of the Contents of their Writing; to which we ſaid, that they ſeemed to us to be very ſufficiently informed, and that we thought it was by an authentick Way: They replied, that they hoped however, ſo much Civility might be uſed to them, as to have their Reaſons heard, which perhaps might give good Satisfaction to the *French*, why the Biſhop of *Strasburgh*'s Miniſter could not be acknowledged here, or would at leaſt deſerve an Anſwer; they deſired us therefore very earneſtly, to repeat our Offices that they might be received: We took no notice to them of the Nuncio, nor of what the *French* had told us had paſſed between them and him: We therefore only replied, that we ſhould not fail to do as they deſired, in repeating our Offices, but that we muſt beg leave to take notice to them, of ſome Things we had obſerved in that Dictate, which they having neither deliver'd us by Reading, nor touched in the opening of it, we could not then reflect upon; and which, if the *French* would have received it, we could not have dictated to them: The one was, this Clauſe, *Turpitudinem propriam arguat*, which you will find ſcored under in the Copy we ſend you of this *Dictatum*; we told them, we had very poſitive Commands from his Majeſty, to be very watchful not to hand any ſuch Expreſſions between the Parties, and deſired we might be at Liberty to dictate ſome other Word of equal Force to all Purpoſes, but not of ſo harſh a Signification.

After ſome Arguments on their Side, how it was an Expreſſion from a Sovereign to a Vaſſal; how that very often Expreſſions of a rougher Signification were uſed from the Emperor, to thoſe that failed in their Duty to him; eſpecially in the Avacatories of the Empire: They added at laſt, that they were beholding to us for our Care, to prevent ſuch Expreſſions as might tend to Sharpneſs, but that they thought it was principally to be obſerved between ſuch as were Parties treating; that it ſhould be a Caution to them for the future, in any Thing they ſhould have to tranſact with other Parties here; but that being a particular Caſe, in a Matter within the Empire, and with ſuch a one, as they would never admit to bring his Cauſe to be treated here; and beſides, having ſent a Copy of it to the Emperor, as they had delivered it to us, they could not allow of any Alteration in it, we repreſenting ſtill to them, that we had poſitive Orders from the King, to avoid all ſuch Expreſſions, and offered to do our Offices in the Buſineſs itſelf, leaving out that Clauſe.

After this, we objected againſt the Clauſe relating to my Lord *Berkley*, and me Sir *Leoline Jenkins*, and deſired their Advice, how we ſhould behave ourſelves, if the *French* ſhould deny the Thing, and appeal at the Time of our dictating to me Sir *Leoline Jenkins* about it, whether I had ever ſaid, that they had agreed as is alledg'd; and becauſe I could very truly ſay, that I did not at all remember that they had ever ſaid ſo, and that all the Probability of the contrary appeared; we therefore deſired we might not be requeſted to dictate this Clauſe.

To

To all this the *Imperialiſts* told us, there was the Atteſtation of Meſſieurs *Heugh*, *Beverning*, and *Haren*, that what was alledged in their Paper had been ſaid; and if I, Sir *Leoline Jenkins*, inſiſted, that I had no Remembrance of it, they gave entire Credit to it; but it was poſſible, they ſaid, I might not ſet down in my Notes all the Particulars of that Day's Debate; nor, on the other Side, was it likely that three Ambaſſadors could conſpire to enter all of them the ſame Thing into their Books, if it had not been ſaid: I, Sir *L. Jenkins*, deſired, as a Means to refreſh my Memory, to have a Sight of the ſaid Atteſtations, that I might ſee in what Manner, and to what Degree, they did atteſt it; and beſides that, ſince my Lord *Berkley* had his Share in the Thing, that it was but reaſonable to write to his Lordſhip about it, to ſee whether he remembred any Thing of it; and that till then, it was not proper, as we thought, to dictate this Clauſe to the *French* Ambaſſadors.

The *Imperialiſts* replied, that one of thoſe Ambaſſadors that had ſigned that Atteſtation was out of Town, and that it could not be ſhewed without the Conſent of all the Parties: Beſides that, it was a Thing among themſelves, and deſired to be excuſed from letting us ſee it; that for writing to my Lord *Berkley*, it might be done if we pleaſed; but they ſaw not to what great Uſe, ſince all that could be ſaid was, that he neither had no Remembrance of it, which they would very readily believe, but that the poſitive Aſſertion of three Ambaſſadors was likewiſe to have its Credit; and therefore deſired, that we would dictate that very Clauſe.

At laſt we concluded with telling them, that we muſt be excuſed in theſe two Particulars, *viz. Turpitudinem propriam*, and this Atteſtation; and that we would do our Offices, as the Duty of Mediators did require, to the beſt of our Underſtanding, and ſo we parted.

Upon the whole Matter, we deſire to lay before you, that we find it, by every Day's Experience, more and more neceſſary to reſcue our ſelves, if we can, from this Obligation of uſing the Words of other Perſons, in Things that we ourſelves are to dictate; and we have before us the Example of the Nuncio, whom the *Imperialiſts* did not oblige to uſe the Word *Turpitudinem* in the ſame Paper, as you may ſee in the Copy we here ſend you of it; nor ſo much as tie him to any Words, but left him at Liberty to dictate, or not to dictate; ſo he acquainted them with the Senſe of it; and in another Paper Meſſieurs *Colbert* and *d'Avaux* ſhewed us, the Anſwer they had prepared for the Nuncio to carry to the *Imperialiſts*; we ſaw ſome Expreſſions in it marked by the Nuncio, and required to be moderated, as Words not becoming the Office of a Mediator to carry between the Parties; and which accordingly the *French* Ambaſſadors parted with, as they did upon another Occaſion with the Word *Proteſting* upon our Repreſentation.

You will ſee, Sir, by our being confined to the Words of one Memorial, which we received from the Body of the Allies, and by our being required to dictate a Clauſe in this other, to the contrary whereof we muſt bear Witneſs, if we ſay any Thing, how apparent their Deſigns are to find ſome Fault with us, to come to a Breach with his Majeſty's Mediation; and you will alſo judge, as we ſuppoſe, that it is greatly inconvenient, as well as unfair, to have Reports faſtened upon the Mediators, by the Atteſtations of Parties intereſſed, and for Things to lie in deck for eight Months together, and the Mediators not ſo much as ask'd the Queſtion, either by the Parties atteſting, or the Parties in Favour of whom they do atteſt.

We ſend you here incloſed a Paper delivered us by the Duke of *Holſtein*'s Miniſter, containing his Reaſons why his Maſter's Affairs ought to be Treated here, and by the Aſſiſtance of the King's Mediation; and that it cannot be made a Domeſtick Affair, as the King of *Denmark* pretends: He tells us likewiſe of a *Plenipouvoir* he expects within few Days, and deſires his Majeſty may be acquainted with the Duke his Maſter's Intention, to appear publickly as a Party in this Treaty; and therefore deſires his Majeſty's Authority for his Admiſſion. We remain always, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 8th Octob. 1677.

Right Honourable Sir,

OUR laſt was of the 4*th*, ſince which we have not the Favour of any from you to acknowledge.

We are in ſome Hopes, from what M. *Heugh* and M. *Petcum* have let fall in Converſations, that they will enter into a Treaty here with the *Swedes*, for the Paſſage of their Letters and Couriers: We find they have a *Reciproque* to demand, for the Paſſage of *Denmark*-Letters and Couriers into *Norway*; but that they would not willingly ſet this Treaty on Foot till Count *Antoine*'s Viſits of Ceremony are over.

For that End, they are inquiſitive to know, whether we have any Reſolution of his Majeſty come to us, upon the Expedient that M. *Colbert* propoſed: But we find, that M. *Heugh* and M. *Colbert* do not fully underſtand one another about that Expedient; for M. *Heugh* ſeems to think, that if it be accepted, Count *Antoine* is to viſit us without *Parade*, (upon Pretence that we viſit not *en Parade*) but M. *Colbert* underſtands, he is to viſit us with the ſame *Parade* and Equipage as he will viſit other Ambaſſadors, when he returns them the Viſit of Ceremony.

Messieurs *Colbert* and *d'Avaux* tell us, the King their Maſter approves of the Expedient, but orders them, that unleſs Right be done to his Majeſty's Mediation, they, the *French*, are not to enter into any Viſits of Ceremony with Count *Antoine*.

M. *d'Eſtrades* further tells us, that having put the Queſtion to their Court, they have a Reſolution how to govern themſelves in certain Circumſtances, as long as Count *Antoine* continues in the Figure he is now in: It is, that they are not to decline converſing with him in the ſame civil Manner they do with other Ambaſſadors, when they happen to meet him in the Evening Aſſemblies, that are here frequent among the Ladies; and even when thoſe Aſſemblies happen to be at their own Houſes, they are to receive him, if he come at them, as they do other Ambaſſadors that come to theſe Divertiſements.

Being upon this Diſcourſe, we asked what were adviſeable for us to do, in caſe that having taken an Audience of M. *Heugh*, upon any Matter of Buſineſs, we ſhould find Count *Antoine* preſent, and joining with his Collegue, whether we ſhould proceed to the Buſineſs, or elſe forbear? It was abſolutely M. *d'Eſtrades* Opinion, we ſhould paſs the Time in Civilities, and not touch upon any Buſineſs at all. We lay theſe Things before you, becauſe 'tis poſſible ſuch an Accident may befal us, and we ſhould be glad to have your Directions, if they can come Time enough.

In

In our laſt, we gave you a minute Account how the *Imperialiſts* had put a Paper into our Hands, againſt the Biſhop of *Strasburgh*'s appearing here by his Miniſter as a Party; how the *French* Ambaſſadors had excuſed themſelves from receiving it, or entring into Buſineſs upon it; together with the Anſwer they gave us to return to the *Imperialiſts*, touching that whole Matter. We told you likewiſe, how the *Imperialiſts* (upon receiving the Anſwer that the *French* had given us) had preſſed us to repeat our Offices with the *French*, ſo as to have their Reaſons at leaſtwiſe heard; and how that we promiſed to do it, but deſired to be excuſed in two Particulars; the one was, from uſing the Words *Turpitudinem propriam*; the other was, that I, Sir *L. Jenkins*, ſhould not be preſſed to ſupport a Matter of Fact which I remembred nothing of.

On *Saturday* we were in the Forenoon to repeat theſe Offices with the *French* Ambaſſadors, and laid before them the Reaſons of the *Imperialiſts* againſt the Biſhop of *Strasburgh*: They having heard us out, obſerved to us, that the Nuncio, who was at firſt charged with the ſame Commiſſion that we were, had not yet repeated his Offices towards them; they deſired therefore (in Regard they were concerned the Anſwer they ſhould give the Nuncio, in caſe he ſhould come to paſs the ſame Office with them as we did, ſhould not be different from the Anſwer they ſhould give us) that they might have Time to conſider till the Afternoon, deſigning in the mean while to learn from the Auditor, if the Nuncio was engaged to preſs them a ſecond Time, as we were.

This being over, we laid before them ſome Remarks we thought we were lead to make upon M. *Ducker*'s Memorial, which they had put into our Hands, and we ſent you by the laſt: As, *firſt*, That he revived the Queſtion about *Rhineberg*, and other Places detained by the United Provinces, which is no Part of his Buſineſs. 2 *dly*, That he made a Deduction, how M. *de Strasburgh* had been forced to fly into *France*, &c. there being no Precedents among us here of any Deduction, all Parties having contented themſelves to wave all Occaſions that lead into the War, and to make their firſt Propoſitions and Demands ſimply and plainly, and in much fewer Words. 3 *dly*, That the Sequeſtration of the Biſhop's Nephew, who is lately married in *France*, is put into the Memorial; yet he is not ſo much as pretended to be an Ally of *France*, as his Uncle is; and if he be not, the *Imperialiſts* will not think themſelves obliged to anſwer here upon this Affair. 4 *thly*, That Prince *William*'s Liberty and entire Reſtitution, is demanded in this firſt Propoſition: If he means this is to have its Effect when the Peace is made, the Emperor and the Allies have already promiſed that ſhall not break Squares, and conſequently, that Demand is not now needful; if it be meant before, that Temperament of having the Prince ſequeſtred into a third Hand, will be out of Doors, which hath been ſo long his Majeſty's Buſineſs. Theſe Things we took Leave to obſerve to them, as moſt obvious in the Propoſition, beſides other Exaggerations; which put together, would probably put the Allies all into a Flame, and do the Biſhop no good.

The *French* Ambaſſadors allowed of this Liberty we took, and the Converſation was cloſed with their telling us, that when M. *Ducker*'s Propoſition was in a Way to be received, (as now it is not) they would review it, and endeavour to model it as may be moſt for avoiding Clamours.

In the Afternoon, the *French* Ambaſſadors came and told us, they found by the Auditor, the Nuncio was not under any Engagement to

repeat his Offices, as we were, upon the *Imperialiſts* Paper againſt the Biſhop of *Strasburgh:* That he being not charged with their Paper, in order to deliver it to the *French* Ambaſſadors, but only having had it given him for the Help of his Memory, he had returned the *Imperialiſts* that Anſwer the *French* had given him, and did not expect to hear any more of it.

After this, they told us, they thought it not ſafe for them to bear the Envy of refuſing to hear Reaſon; and therefore were ready to receive thoſe Reaſons we had to lay before them from the *Imperialiſts*, whether by Word of Mouth, or by Dictate; recommending to us not to uſe any Expreſſions (ſuch as they knew to be in the Reaſons we were charged with) tending to Sharpneſſes, telling us plainly, that if we did, their Return would be in the ſame Language, with Over-Meaſure: They told us likewiſe, if we inforced to them that Matter of Fact that was controverted, they muſt appeal to our *Protocolls*, and to what I Sir *L. Jenkins* could teſtify, in Order to throw off that Declaration of M. *de Strasburgh*'s being no Ally, which the *Imperialiſts* would faſten upon them.

It was their Deſire rather to receive theſe Reaſons by Word of Mouth, than in Writing; and they having enlarged by Way of Diſcourſe, telling us what might very well be replied to the ſeveral Reaſons in the *Imperialiſts* Paper againſt M. *de Strasburgh*, they told us, their Anſwer for the preſent would be, that it being an Affair that required a more exact Diſcuſſion than ordinary, they would take further Time to anſwer, and would bring us a Reply upon the Particulars.

Yesterday we gave the *Imperialiſts* an Account of the Succeſs that the Inſtance we had made and repeated at their Deſire, had had; telling them how fair a Hearing the *French* had at laſt given us; how they had cautioned us not to touch upon harſh Terms, or ſuch Matters of Fact as they muſt conteſt; and how they had promiſed us an Anſwer upon the particular Reaſons of the Paper.

That which the *Imperialiſts* replied, was no more, but to deſire our Offices ſtill in diſpoſing the *French* to give them an Anſwer, and ſuch a one as may be tending to the Peace. This paſſed over thus, without taking any Account of us, whether we had dictated their Paper or not; which (tho' they ſhould have preſſed us in) we ſhould not have framed ourſelves to do, in Regard of the Words *Turpitudinem propriam*, and in Regard of the Fact that the Mediation (tho' it knows nothing of it) is made to bear Witneſs to, without firſt receiving your Directions upon it.

We told you in our laſt, that the *French* Ambaſſadors had given us to underſtand, upon our firſt Inſtance about this Paper, *That all the while the Biſhop of* Strasburgh's *Miniſter ſhould not be acknowledged in that Quality, they, the* French, *would not be able to anſwer, or to make any Advances in the Propoſition of* Lorain: — This they deſired us to deliver as Part of their Anſwer to the *Imperialiſts*.

This we did, and we are ſure, that having concerted before in Writing what was to be ſaid, and having reflected upon what was ſaid as ſoon as the Thing was ſpoken, it was ſpoke no otherwiſe: But we had the Misfortune to be ſo miſunderſtood by the *Imperialiſts*, that they giving an Account in the Aſſembly of the Allies of our Offices, reported that they, the *French*, had declared by us, that till the Biſhop of *Strasburgh*'s Miniſter were ſatisfied, they would make no Advances in the General Peace.

M. *Heugh*

M. *Heugh* having done us the Favour to inform us of this, we thought it beſt to come to an *Eclairciſſement* with the *Imperialiſts* in yeſterday's Converſation: We told them plainly, the *French* had limited their Refuſal to treat to the Buſineſs of *Lorain* only, and not extended it to the Affairs of the Alliance in general. They told us, they had apprehended it to the contrary, and owned to have reported it in the Aſſembly: We replied to them, that we could not poſſibly have ſaid ſo, and produced the very Paper we had concerted (upon our Return from the *French*) for the Help of our Memory.

We have been with moſt of the Allies ſince, to rectifie this Miſreport; and being with M. *Beverning*, we found by him, that he had told them at that Time, it was improbable that we ſhould have reported the Refuſal ſo general; that he was ſure the *French* would treat with him, notwithſtanding the Biſhop of *Strasburgh*'s *Accrochment*; and that the Return the Nuncio made upon the ſame Office, being limited to the *Lorain* Affairs, ours muſt be the ſame: He did allow of what we told him of the uſual Stile here, that they ſhould, after they had heard our Meſſage, have repeated it, to ſee whether they had comprehended us rightly or not; and then we ſhould have either rectified their Miſtake, or elſe the Thing would have lain at our Door. But it was his Obſervation, that they have no Mind to a Peace, as they apprehend it like to be made, and therefore that they do *chercher noiſe*; and 'tis for this Reaſon we take Leave to lay before you theſe little Paſſages.

This Morning, having Occaſion to ſpeak with M. *Somnitz*, (M. *Blaſpiel* being out of Town) in Order to remove any Prejudice, thro' the Miſtake which the *Imperialiſts* had made, in miſreporting the Meſſage we had brought them from the *French*, he let himſelf into a Diſcourſe of the Voyage of his Highneſs the Prince of *Orange* into *England*; and thereupon made it his ſolemn Requeſt to us, to recommend the Affairs of the Elector his Maſter to his Majeſty's Protection, ſo that they may ſtand fair in his Majeſty's Eye, and become Part of his Care in this great Conjuncture. He hopes the Elector's Demands will appear to his Majeſty to be moderate, and ſo well founded, that he will judge them to deſerve his Support. This we could not refuſe to mention, and leave with you.

M. *d'Eſtrades* coming now Abroad, after ſome Indiſpoſition that had confined him for ſome Weeks to his Chamber, was to ſee us ſeverally this Morning in Complement: He held the ſame Diſcourſe to us both, as we find by comparing it. It was, that he had great Hopes a General Peace would be the Iſſue of his Highneſs the Prince of *Orange*'s Voyage into *England*; that he hoped his Majeſty would make him ſenſible, how far 'tis againſt his Intereſt to continue longer in this War; that his Majeſty may ſettle the Peace with the Liberty of an Arbitrator; that tho' the Moſt Chriſtian King makes a Difficulty to yield this or that Point in this Place, it ſeeming a Kind of Violence to him to yield when he is preſſed in an open Treaty; yet *ſi le Roy de la* Grande Bretagne *dit, il faut cela pour avoir la Paix, il s'y accomodera & ſe rendra à ſon Sentiment*: -- That if they have *Cambray*, *Aire*, and St. *Omer*, (that kept them in Alarm to the Walls of *Paris*, and *Burgundy*, which did the ſame on the other Side) joined to their Frontiers, *pour le reſte une Ville ou deux plus ou moins ne ſeroit pas une affaire*: That tho' they may promiſe themſelves further Conqueſts as Things

ſtand, yet they would rather cloſe with the preſent Conjuncture, to get what they intend finally to inſiſt upon, ſettled by a Peace. We remain always, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 11th Octob. 1677.

Right Honourable SIR,

SINCE our laſt, which was of the 8*th*, we have not the Favour of any of yours to acknowledge; nor have we any Thing to acquaint you with at this Time, ſave that yeſterday M. *Colbert* told us, in an ordinary Viſit, that the Nuncio's Auditor had been on *Monday* with M. *d'Avaux*; and had, as from himſelf, asked him, whether they, the *French* Ambaſſadors, would be diſpoſed to receive Propoſitions from the *Spaniards*, in Order to the Peace, if any ſhould be made to them; that if they would, perhaps the Nuncio would in a few Days have Commiſſion to make ſome to them; or it may be, might offer them of his own. That M. *d'Avaux* had not given the Auditor any direct Anſwer; and ſince that, they had heard no more of the Nuncio. But M. *Colbert* ſaid, he could not omit making us acquainted with this Particular, in Purſuance of the Confidence he hath hitherto uſed with us.

HE ſaid, it might perhaps fall out, that at the ſame Time the *Spaniards* might think of making ſome ſuch Overture by us, and then this Diſcourſe would prepare us for it; and if they did not, that we might have Time to conſider with ourſelves, whether, if they came not at all to us, and yet made uſe of the Nuncio, we ſhould not think fit to take notice to them of it, as a Practice, which we thought, not very reſpectful to the King's Mediation. He added, that if they ſhould hear any more of the Auditor, they ſhould return a more direct Anſwer, now they have conſulted together, than M. *d'Avaux* could, when he was firſt ſpoken to; and that it ſhould be, that they would not refuſe to receive any Propoſitions that might tend to the Peace, by what Hands ſoever they ſhould come; tho' as he ſaid to us, the Nuncio might be ſuſpected to bring no good to them the *French*.

M. *Colbert* further added, in his Diſcourſe, that M. *Beverning* having been with him on *Tueſday*, and diſcourſing of the Prince of *Orange*'s Journey, he ſaid, he had the ſame *Plenipouvoir* he had before, and was ready to go on in the Treaty here, which, he ſaid, need not ſtop upon Account of that Voyage; that he, M. *Colbert* had replyed, he knew not of any Stop there was; that they, the *French*, were ready to advance in it, whenever any Propoſitions ſhould be made on the Part of the Allies: That what remained moſt in Controverſie between them and the States, was about the Matter of Commerce, and the Fixation of the *Droits*, as to which he, M. *Beverning*, knew what their Anſwer had been; and that if the Moſt Chriſtian King ever ſhould come to yield any Thing in it, it would be after the Peace, and not in the Treaty here. M. *Colbert* ſaid, that M. *Beverning* ſeemed to him, by his not offering any Thing of particular, to have a Mind firſt to ſee, what will be the Iſſue of the Prince's Voyage.

WE had nothing to reply to it, but to thank him for the Communication, and we thought fit to lay it all before you, with this Reflexion of our own, that as to the firſt Part of his Diſcourſe, concerning his

his propoſing to us to take notice to the *Spaniards*, if they ſhould make Propoſitions to the *French* by the Nuncio, and not by us, that we do not intend ſo to do, unleſs we have your Direction in the Caſe, conceiving that the Parties are at Liberty to treat with or without Mediators; and that we are to take no Notice of what the Nuncio does. We remain always, *&c.*

L. Hyde.
L. Jenkins.

To Mr. Secretary *Coventry.*

Nimeguen, 12th Octob. 1677.

Right Honourable Sir,

THIS Bearer is M. *de Veilde*, the Perſon that pretends to have the Secret againſt the Worms in Shipping: Having received his Majeſty's Pleaſure touching him under your Hand, we take Leave to addreſs him to your Care and Favour.

We have repreſented to him, that his Majeſty's Judgment and Penetration is ſuch, that nothing but real Effects will ſatisfie his Expectation. He is confident he can give his Majeſty Satisfaction; nor does he doubt, but his Majeſty will encourage and recompence him in Proportion.

The Thing he propoſeth to himſelf is, to give an Eſſay of his Preparation, upon which an Experiment may be made, then to wait the Iſſue, and the Return of the Ship: If it ſucceed, he will then acquaint his Majeſty with the Secret, and treat about it; in the mean Time, he propoſes to return to his Home again, and wait for further Orders. We did not take upon us to enter into any further Diſcuſſion with him, how practicable the Thing muſt be.

He deſired of us two Ducatoons a Day for himſelf and his Servant for 24 Days, which he reckons may be ſpent in going and coming, and attending his Majeſty's Pleaſure in *London*; ſo much we have paid him in Hand; and neither you nor we are to pay him any more, unleſs you enter into new Terms of Agreement with him.

We find he is no Miniſter, but a *Religieux*; there goes along with him a *Spaniard*, who ſays, he equally partakes of the Secret. We remain ever, *&c.*

L. Hyde.
L. Jenkins.

To Mr. Secretary *Williamſon.*

Nimeguen, 15th Octob. 1677.

Right Honourable Sir,

OUR laſt was of the 11*th*; ſince which, we have yours of the 5*th* to acknowledge.

On *Saturday*, we had ſome Converſation with M. *Beverning*, about the *Gluckſtadt-Toll*, having no better Way than by him to come to the Knowledge of the preſent State of that Affair. When we had told him, how we underſtood out of *England* that the Thing was ſtirr'd again, and the King of *Denmark* not unlikely to compaſs his Deſires in having it

it eſtabliſhed, he ſeemed to be ſomewhat ſurpriz'd; and charged himſelf to write to the Penſioner that very Evening, that he ſhould look about him, and give the Orders neceſſary to their Miniſter at *Vienna*.

He could not recollect himſelf, he ſaid, where and how that Buſineſs had reſted; but, as far as he remembred, the Elector of *Brandenburgh* had given his Conſent, that *Denmark* ſhould have a Toll there, for a Time only, and until a certain Sum (of about two Millions and a half of Florins) ſhould be raiſed; but he was abſolutely of Opinion, the whole Thing muſt be oppoſed with Vigour, and reſolved to ſollicit it himſelf at the *Hague*; (if he did take a Turn into *Holland*, as he intends to do, as ſoon as M. *de Haren* returns) for if the Toll be once eſtabliſhed, tho' with never ſo many Precautions and Limitations, he takes it be as good as granted for a Perpetuity, and it will, by Degrees, be raiſed in the Quantity too; as it hath been within Memory in the *Zundt*, and ſome Places in *Holland*, which he inſtanced in upon his own Knowledge.

He was ſo far from inclining that the King of *Denmark* ſhould be truſted in this, upon certain Terms and Conditions, that he would like very well, he ſaid, that the *Swede* ſhould ſtill hold ſome Part of what they had on the *Schoonen* Side, that the *Dane* may not be Maſters of both Shoars, and ſo have the greater Liberty to ſet up unreaſonable Exactions in the *Zundt*. But for the ſtopping of the preſent Toll, he had no great Confidence, he ſaid, in the ſecular Electors, there being ſeveral Intereſts viſible enough to engage them to conſent; his Hopes are, that the Eccleſiaſtical Electors may be prevail'd with not to concur.

Finding him thus warm, we left this Matter to reſt here, after we had hinted, that the ſame Care and Concern for their Subjects, that had engaged the States General to call upon his Majeſty for his Conjunction, would, we hoped, carry them on ſtill to oppoſe a new Exaction, ſo prejudicial to the Commerce of both Nations.

This Occaſion lead him into the like Reflexion upon the Toll that the Houſe of *Brunſw ick*is endeavouring to ſet up at *Stoadt*, where they do extort already, from all that paſs by, the ſame Duties that the *Swede* did, which (as M. *Oxenſtiern* hath inform'd him) were but a Trifle as the *Swedes* levyed them, and upon one Kind of Merchandize only: But the *Lunenburghers* make much more of it already, and will at laſt bring it to be very burthenſome, unleſs they be oppoſed now at the Beginning; the Exaction being ſo much the more ſenſible to them the *Dutch*, as that the States have furniſhed the Money that enabled the *Lunenburghers* to make that Conqueſt.

He told us, that the King of *Denmark*, and the Elector of *Brandenburgh*, had lately made a new Treaty together, without any Regard, ſuch as they ought to have had, to thoſe antecedent ones they have already entred into with the States his Maſters, and the other Allies; nay, without ſo much as acquainting the States with it. He ſays, the Emperor hath entred into the like new Alliance with the Elector of *Cologn*, and other Princes upon the *Rhine*, engaging himſelf not to make a Peace, till thoſe Princes have their Satisfaction; ſo that according to their Scheme at preſent, the States muſt wait and cannot make a Peace, till theſe new Allies of the Emperor find their Account; but they will be deceived, he ſaid, if they expect the States ſhould conform themſelves to ſuch Meaſures; nay, they, the *Dutch*, are nothing troubled at the Emperor's entring into ſuch Alliances as are inconſiſtent with the old ones, ſince they are thereby ſet at Liberty, to endeavour the getting them-

themſelves out of the War, they being under no Obligation to the Emperor to continue in it longer than they themſelves ſhall think fit, ſince the Emperor hath none of his Countries or Places loſt or taken from him, as *Spain* hath.

He ſays, M. *de los Balbaſes* (who is not yet gone hence for *Bruxells*) is at this Time much talk'd of for Governour of the *Spaniſh Low-Countries*, and he thinks the Thing not improbable; for beſides that he hath been verſed heretofore in Military Imployments, he is of that great Wealth and Credit, that he may raiſe ſuch a Fund of Money, as ſcarce any other Governour would be able to do. We are, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 18*th Octob.* 1677.

Right Honourable Sir,

SINCE our laſt, we have the Favour of yours of the 12*th* Inſtant to acknowledge; which refers us to his Majeſty's Return from *Newmarket*, for his Direction in thoſe Points lying before you, to which we are often called upon here for an Anſwer, eſpecially for that in Relation to Count *Antoine*'s Notifications, and the Expedient offer'd by M. *Colbert*.

M. *Colbert* told us on *Monday* laſt, that the Diſcourſe begun by the Nuncio's Auditor to M. *d'Avaux*, concerning Propoſitions he was deſirous to make to them, the *French*, in Behalf of the *Spaniards*, of which we gave you an Account in our Diſpatch of this Day ſevennight, had not proceeded further; and that his Reflexions upon it were, that it was a Diſcourſe ſet on Foot by the Nuncio, without any Order from the *Spaniards*, as having a Mind not to ſeem idle here, while he imagineth there was ſo much doing in *England*, upon Occaſion of the Prince of *Orange*'s Journey.

M. *Beverning* went *Monday* Morning out of Town, as he had told us before he would do, if he ſaw M. *Haren* were like to be here within a Day or two; he talk'd of being away fifteen Days; before he went, he ſent us a Copy of the Treaty between the King of *Denmark* and the Elector of *Brandenburgh*, of which we made Mention in our laſt, and now ſend it you herewith.

M. *Petcum*, in an ordinary Viſit yeſterday, took Notice with ſome Diſſatisfaction of M. *Beverning*'s going away, and his leaving that Embaſſy quite unſupplied; he ſaid, it was very true there was no Buſineſs to do, but it did not look very decently to tell all the World ſo, by one of the principal Parties having none to appear for them in the Aſſembly; that he believed whatever was done in *England* towards the Peace, it would not immediately break out here as a Thing concluded there; but that we ſhould rather find it by the Effect and by Degrees: He concluded, that one of two Things would be the Effect of this Journey, that either there would be a Peace, and that, as he called it, upon pretty moderate Terms; or elſe that the King would come into the War on the Side of the Confederates.

He enlarged himſelf upon the Terms that he called moderate, which were, that the King of *France* muſt reſtore *Sicily*, for which the *Franche Comte* might be yielded to him for an Equivalent; and that there muſt be ſome Places rendred in *Flanders*, that they might not have all their great

great Towns Frontiers; and he thought, that if the Moſt Chriſtian King would not yield to ſuch Terms as theſe, that the King would engage in the War againſt him.

Don P. Ronquillo in a like Viſit complain'd, that they, the *Spaniards*, were not judged fit to be acquainted with Sir *William Temple*'s Journey into *England*, nor with Mr. *Hyde*'s to the Prince of *Orange*, nor upon this Journey of the Prince, or ſo much as asked what they deſired ſhould be done for them.

He added, that *Charleroy*, *Aeth*, *Courtry*, and *Oudenard*, (the three Places that the *French* are willing to part with, as it is, he ſays, given out here) will do them no good; that *France* would ſend them a Ratification of a Peace the next Day upon theſe Terms, if they would accept of them; but they cannot, for it would not make them ſuch a Frontier as they ſhall need; that Country cannot defend itſelf with leſs than 60,000 Men, which ſo ſmall a Diſtrict can never hold; that it were better to them the Country were loſt, than left to them, ſo as it will be impoſſible to defend it; nor will it be a Loſs to *Spain*, for that the Money they furniſh to maintain it, would raiſe a moſt powerful Fleet in the *Mediterranean*, which would be more for the Defence of *Italy* and *Spain*, in caſe either of them ſhould be attacked by *France*, than the greateſt Diverſion they can make out of the *Low-Countries*; the Frontiers of *France* being now ſo far advanced, that they can make no Impreſſion there as formerly; that the Loſs of *Burgundy* will be the expoſing of *Germany*; and that not only the Crown of *Spain*, but the Empire from one End to the other, is infinitely concern'd, that it be kept out of the Hands of the *French*.

One Thing he inculcated very much, that there is a Neceſſity his Majeſty's Project for the Peace ſhould comprehend the Concerns of every particular Ally, thoſe of the *North* for Inſtance, as well as the four great *Puiſſances*, for elſe it will not be in the Power of thoſe *Puiſſances* to preſs their leſſer Allies to enter into the Peace, much leſs to conclude without them; they ſhould therefore, by his Majeſty's Project, be enabled to repreſent to them, that the Offers they may make a Peace upon are reaſonable, and ſuch as will excuſe the ſaid *Puiſſances* if they do not go on any longer in the War with them.

The Parties imploying us in no Manner of Buſineſs for them, we take the Liberty to trouble you with the ordinary Converſation they hold with us, that by comparing how theſe two Diſcourſes of the *Spaniard* and *Dane* run, you may ſee how they differ in their Opinions, and what they judge of the Means to compaſs a Peace. We remain always, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 22th Octob. 1677.

Right Honourable Sir,

Our laſt was of the 18*th*, ſince which we have not any from you to acknowledge.

On *Thurſday*, as ſoon as the Poſt was gone, M. *d'Eſtrades* and *d'Avaux* brought us their Anſwers upon the Paper, which the Allies had dictated to us by their Deputies on the 22*th* of *September* laſt, and we to the *French* on the 29*th* following: M. *d'Eſtrades* opened the Buſineſs with telling us, that the King his Maſter had upon all Occaſions

ſhewed

ſhewed his good Inclinations to a Peace, and that we could abundantly witneſs the Facilities he had from Time to Time brought to it: That the adverſe Party had given them indeed Propoſitions, but that they were ſuch as differed not from thoſe they gave in at firſt, therefore that their Anſwer upon them was the ſame they gave in formerly. That the King their Maſter hath no other Propoſition to make, than that he may hold thoſe Things he is in Poſſeſſion of, *par le ſort des armes*; and that they will give no Anſwer to the *Lorain* Propoſitions, till the *Imperialiſts* do receive the Miniſter of the Biſhop of *Strasburgh*, and acknowledge him, as they, the *French*, had done the *Lorain* Miniſter.

THEN he took out a Paper (the Copy whereof goes herewith incloſed) which they had drawn up, they ſaid, for the Help of our Memory; leaving us at Liberty to give it, or not to give it into the Confederates, and to uſe any other Words inſtead of thoſe that we ſhould judge to be too harſh to be ſpoken, or to be given in Writing.

WE putting them in Mind, that we had brought them a Meſſage apart from the *Imperialiſts* touching the Biſhop of *Strasburgh*, they told us, they intended the Paper they then gave us, for an Anſwer to the *Imperialiſts* upon that Affair. M. *d'Avaux* further obſerving to us, that this is the Place for all Parties that are involved in this War to ſeek their Remedy in; that the Alliance which the Biſhop of *Strasburgh* had made with *France*, having been made in Conjunction with the Elector of *Cologn*, and long before the Rupture between the Empire and *France*, the Biſhop muſt not be ſent to the Diet of the Empire, nor to the Emperor's Council; he muſt ſeek his Redreſs here as an Ally of *France*, and that this Place muſt be reputed only *his forum competens*, whatever the *Imperialiſts* alledge to the contrary.

ON *Saturday* we gave an Account, firſt by way of Report, then by way of Dictate, to the Allies in their Aſſembly; we ſend you the very Words apart that we did dictate, having thought it ſafeſt to change and leave out ſome Things that were in the Paper the *French* Ambaſſador had given us.

IN the Converſation we had with the *French* on *Thurſday*, they told us, how they underſtood from M. *Oxenſtiern*, that nothing is done yet in Favour of the *Swediſh* Letters and Couriers; that M. *Heugh* had delay'd for a long Time, under Pretext that the King his Maſter was Abroad with his Armies, and not at *Copenhaguen*; that M. *Oxenſtiern* being reſolved to move us again, they were obliged to join their Requeſt with his, and deſired us, that when he came, we would not forget to let him know they had paſſed their Offices with us.

THEY were no ſooner gone, but M. *Oxenſtiern* came to enquire, if we had any Thing to tell him of a further Liberty for the *Swediſh* Letters and Couriers, and to deſire our Offices might be ſtill renewed in that Affair; telling us, he had lately received a Letter from the King his Maſter, whereby it appears, that he hearkens after the Iſſue of the late Overtures, they, his Ambaſſadors, had made by their Memorial; intimating withal, that he found his King is reſolved, that if he have not reaſonable Satisfaction in that Point, he will betake himſelf to other Meaſures.

WE telling him, how we had done our Offices, and how that M. *Heugh* was well diſpoſed to treat of the Affair, provided there might be a *Reciproque* for the Letters of *Denmark* to and from *Norway*; and that we had given M. *Heugh* good Hopes, the Count would not be averſe from it; he ſaid, he had indeed thought ſince upon that *Reciproque*, but that it ſeemed to him to carry with it too great an Inequa-

lity, if it be intended ſuch a general Liberty as Letters had before the War to and from *Norway*; ſince they, the *Swedes*, pretend not to ſuch a general Liberty, but only to a free Paſſage of their own Letters and Couriers to and from this Place, and relating to the Negotiation of the Peace only.

On *Friday* Morning M. *Heugh* brought us the Memorial incloſed, as the Sum of what they, the *Daniſh* Ambaſſadors, are left at Liberty, by the King their Maſter, to grant to the *Swedes*, for the free Paſſage of their Letters.

As he opened this Matter, we had Occaſion given us to tell him, how we ſtood charged by the *Swediſh* and *French* Ambaſſadors, to renew our Inſtances in that Matter; he told us their preſſing would be of little Moment in the Affair, ſince that whatſoever they ſhould do, would be out of pure Regard to the King our Maſter's Interpoſitions, and upon no other Conſideration whatever.

We carried the Propoſition to M. *Oxenſtiern* in the Afternoon; he took his Exceptions to every Part of it, but reſerved himſelf to ſpeak more fully, after he ſhould view and conſider it at his Leiſure. We did not think fit to communicate the whole Paper to him, as well for ſome harſh Words in it, as for an unſeaſonable Commendation of our Diſcretion, (as the *Danes* call it) in ſtopping the *Swediſh* Memorial becauſe of its Sharpneſs. We only therefore gave him an Extract in *French* (which goes herewith) of ſo much of it as relates to the Paſſage of the Letters.

You will ſee the Memorial that M. *Heugh* gave us, to be ſigned by Count *Antoine* as well as himſelf; we did not think we had Reaſon to take Exceptions at it, having on other Occaſions done Offices for Ambaſſadors while *incognito*; however, we ſubmit to you, whether in Caſes of like Nature we may ſcruple to do it, or continue to do as we do now; we may alſo acquaint you, that we found him in the Aſſembly of the Allies on *Saturday*, but there paſſed nothing between us but bowing one to the other. We remain always, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 25th Octob. 1677.

Right Honourable Sir,

SINCE our laſt, we have the Favour of yours of the *16th* to acknowledge, which contains his Majeſty's Commands to M. *Colbert*'s Expedient, about Count *Antoine*'s Notifications, and likewiſe about the Affairs relating to the Elector *Palatine*; both which are ſo plain, that we hope we cannot miſtake them, and conſequently ſhall moſt punctually obey them.

As to the next Point in your Letter, relating to the Biſhop of *Strasburgh*, whether an Ally, or no Ally of *France*, or whether declared ſo or not, according to the Atteſtation the *Imperialiſts* pretended to have from three Ambaſſadors, of what my Lord *Berkley* and Sir *L. Jenkins* had ſaid in that Matter; in which you are pleaſed to tell us, his Majeſty was of Opinion, we had rather made too much of the Thing; and be as it will one Way or other, it cannot make much to the Point in Queſtion; which is, what *France* will now declare to the Biſhop's being their Ally or no; we take Leave to repreſent to you, that indeed the *French* Ambaſſadors did underſtand the Matter ſo, that the

Biſhop

Biſhop had not been formerly their Ally; it were ſufficient if he were ſo now; and it is in their Power to receive whom, and at what Time they pleaſe; and when they are received, to bring them to this Treaty, by virtue of the common Form of *Plenipouvoirs*, which run not only to treat with each Principal, but alſo with the Allies; but we having had Occaſion to diſcourſe this their Notion of thoſe Words in the *Plenipouvoir* to the Confederates, and finding they underſtand it quite otherwiſe, to wit, that they can only be intended to ſuch as were Allies at the Time of the Date of thoſe *Plenipouvoirs*, and no others; we thought it lay upon us to ſay ſo much as we did of it, it being not improbable, but the very Time when the Alliance is entered into, may become a Matter in Queſtion between the *French* and the Confederates.

M. *Beverning* declared himſelf in this Matter of the Opinion of the Confederates, who is not ſo in many Things, tho' he be their Ally; and added, that in other Treaties, this hath been uſually the Limitation of ſuch Clauſes as to the Time; and that otherwiſe there would be no End of Treating, if it were in the Power of any Party, who might perhaps be not ſo deſirous of the Peace as the others, to name every Day new Allies that muſt be heard and ſatisfied. As to the Latitude you take Notice we had obſerved to you, which had been allowed to the Nuncio, to change or omit what he ſhould think fit in the *Dictatum* concerning the Biſhop of *Strasburgh*; in which you deſire a more particular and diſtinct Account, how the Point ſtands, how far, and in what Manner it was, that the Nuncio had that Liberty given him, and by which of the Allies; all that we can ſay further to you is, that when any Offices are deſired to be done by the general Mediation, the ſame are deſired, as we take it, of the Nuncio, by ſuch as have accepted the Pope's Mediation; and in theſe two late Memorials, the one from the Body of the Allies, and the other from the *Imperialiſts* alone, againſt the Biſhop of *Strasburgh*, the Nuncio was charged, as we preſume, from ſuch of the Confederates as had accepted his Majeſty's Mediation, with the ſame Memorials as we were to the *French*.

We found, that the ſeveral Things we had excepted againſt in the firſt, to wit, that from the Body of the Allies, as too harſh to be dictated, and which they would not allow us to uſe our Liberty in, were all omitted by the Nuncio; which appears by comparing the *Italian* Memorials, by which the Nuncio did his Offices, with that the Allies gave us; this *Italian* Memorial we had by the Favour of the *French* Ambaſſadors.

In the *other* Memorial from the *Imperialiſts*, concerning the Biſhop of *Strasburgh*, we did what we could to have the Clauſe *Turpitudinem propriam arguat*, left out; we found that the Nuncio, in the Memorial that he had prepar'd, had ſoftened that Expreſſion; but he having taken back his Memorials again, did his Offices by Word of Mouth; he told the *French* Ambaſſadors, as they told us again, that he was not obliged to dictate any Thing; that he was tied to no Words, but left entirely at Liberty, provided he acquainted them with the Senſe of it; that afterwards he, the Nuncio, was not charged, as we were, to repeat his Offices upon that Paper againſt the Biſhop of *Strasburgh*; on the contrary, that not being charged with the Paper in order to deliver it to the *French* Ambaſſadors, but only having had it given him for the Help of his Memory, he had returned the firſt Anſwer the *French* had given him, and expected not to hear any more of it from the *Imperialiſts*.

And this is all we can ſay to you further, to inform you of this Matter, which of the Allies had any Share in giving the Nuncio this Liberty; or how, or in what Manner he had it; or if the Proofs we have of it, which appear in the Papers which we ſent you, of what we were charged to dictate; and what the Nuncio was left at Liberty in; and in what the *French* Ambaſſadors were pleaſed to tell us, of the Nuncio's Diſcourſe to them; which they told us at firſt in Confidence, but ſince upon our repreſenting to them, that it might be of great Uſe to us, to have the Liberty of taking Notice of it, if we ſhould ever be ſo preſs'd again, they have given us leave to own, that they inform'd us of it, which we have not yet had any Occaſion to do, being, as we ſuppoſe, pretty fairly off this Point; having once expreſly declar'd to the *Imperialiſts*, that there were ſome Expreſſions in their Papers we were not at Liberty to dictate, and that we would do our Offices, as the Duty of Mediators did require; and ſince twice had Occcaſion to ſpeak to them on this Subject, in which they did not ask any Account of us, whether we did dictate them or no; we ſuppoſe they may be convinced, we ought not to be tyed up ſo cloſely to the Expreſſions of any of the Parties.

In an ordinary Viſit we made on *Tueſday* to M. *Van Haren*, upon the Occaſion of his Return to Town, he took notice to us, that the Anſwer we had brought from the *French*, to the Body of the Allies, differ'd in ſome Things from that the Nuncio had brought (as the Parties which had made uſe of that Mediator had the Day before informed the reſt of the Confederates).

We told him, we hoped there was nothing in the eſſential Part of it, that was ſhort of what the Nuncio had delivered; he ſaid no, that it was in Circumſtances, as to the Beginning and declaring of the War which the *French* in this Anſwer had laid upon the Emperor and King of *Spain*: We told him, we had Liberty from the *French* Ambaſſadors to leave out what Expreſſions we thought fit; and to make uſe of our own Words; and that we thought the Queſtion was not now, how the War had begun, but rather, how to come out of it; and that we ſhould, in the Offices we were requir'd to do on either Side, take all poſſible Care to avoid Expreſſions that might tend to any Sharpneſs, or to widen the Differences; he was of our Opinion, and thought we had done better than the Nuncio. We ſent you in our laſt, the Copy of the Paper the *French* Ambaſſadors had given us, and likewiſe of that which we dictated to the Allies, by which you will be able to ſee the Difference between them, and the Alterations we made, according to the Liberty that had been given us.

We gave you an Account in our laſt, of the Anſwer the *French* Ambaſſadors had brought us, to be return'd to the Body of the Allies; and likewiſe, that the ſame was to ſerve for the *Imperialiſts* too, as to what they had offered, for their not allowing the Biſhop of *Strasburgh* to come to treat in this Place, as an Ally of the Moſt Chriſtian King.

On *Tueſday* Morning, we were with the *Imperialiſts*, to give them this Anſwer, together with what had paſſed by Way of Diſcourſe in Anſwer to their ſeveral Reaſons; upon which they made ſome few Reflexions, but ſaid, they would take Time to conſider of what they ſhould think fit to do further upon it.

As ſoon as we were come Home, M. *Oxenſtiern* came to us, to tell us, that he had conſidered on the Project offer'd by the *Daniſh* Ambaſſadors, for the Paſſage of their Letters, of which we ſent you a Copy

in

in our laſt; he told us, that he was very glad that the Ambaſſadors of *Denmark* had declared unto us, that they were enabled to treat about this Matter; that he too on his Side was in a Condition to conclude that Affair; but as to the *Reciproque* that was demanded by the *Dane*, for the Paſſage of their Letters to and from *Norway*, through the *Swedes* Territories; that was new, in which he had no Power to grant any Thing; that he would write of it to the King his Maſter, if it were deſired; and did hope, it might be conſented to eſtabliſh the Courſe of Letters, as they had been before the War, as a Thing that would be of Convenience to both Crowns; but it was not to be brought into the Ballance with the Liberty he deſired and inſiſted upon, for the Paſſage of Letters from this Place to *Sweden*; for that the Liberty of this Correſpondence, was requiſite to the preſent Negotiation of Peace; to which that of *Denmark* into *Norway* had no Relation. That the ſaid Correſpondence ought to be allowed upon two Conſiderations, either by Virtue of the Paſſes, by which they, the *Swedes* Ambaſſadors, were come hither; or according to the Example of *Spain*, which hath a Liberty from *France* for their ordinary Letters; that he depended upon the Way marked through *Laland*, *Falſtend*, &c. (which we ſent you in our laſt) for their extraordinary Couriers; which Way, he ſaid, he hoped might be without Difficulty adjuſted; but he deſired firſt, before he entred into that Treaty, that the Ambaſſadors of *Denmark* would explain themſelves, touching the Paſſage of Letters by the ordinary Poſt, foraſmuch as he, M. *Oxenſtiern*, had not marked out his Extraordinary, but with a Proſpect and even on Condition of obtaining likewiſe the ordinary Paſſage that the *Amſterdam* Letters go by, at the ſame Time; and that this extraordinary Way through *Laland*, &c. is in no Degree practicable in Winter, by Reaſon of the great Trajects over the Seas, and at other Seaſons, upon any Storms, is ſubject to great Danger and Delays.

We went the ſame Day in the Afternoon to M. *Heugh*, and told him what M. *Oxenſtiern* had repreſented to us; he told us plainly, that they, the *Danes*, intended this Paſſage not for their extraordinary Couriers, but for their ordinary, and only Way of Correſpondence; and that till the *Spaniards* ſhould have more Liberty granted them from the *French* for their Couriers, it was not the *Danes* Intention to grant any to the *Swedes*; that the Paſſage now marked for the *Swedes* by Sea, was as open in the Winter, as that they themſelves had it for their own Letters into *Denmark*; it was true, the *Swediſh* Pacquets muſt paſs the Sea five Times, and theirs but three; but whenever the Seas were paſſable to one Place, they were to the other; and in a Word, if the *Swedes* would accept of this, they were ready to come to a Treaty, and would endeavour, in the particular Conditions, to comply as much as poſſible, but were not at Liberty to talk of any other *route*, in which he profeſſed they were ſtrictly bound up by their King, and that this neither had not been granted in Conſideration of the *Swedes*, but of the King's Mediation; without which, the *Swedes* might have made what Noiſe and Stir they pleas'd in the Matter, but would have found no Relief; they, the *Danes*, remembring very well, how the *Swedes* had uſed them in the laſt War, when they had the Advantage; he added too, that without the *Reciproque* for *Norway*, he could not come to any Agreement neither; and ſo concluded, that if what they had offered the *Swedes*, did not pleaſe them, they had done what they could, and without new Orders they could do no more,

more, which he ſaid, if we made Inſtances for, they would write about, but believed they ſhould not eaſily obtain them.

We went the ſame Moment to M. *Oxenſtiern*, to acquaint him with what had paſſed; he ſaid at firſt, that what M. *Heugh* inclined to, was then as good as nothing at all, ſince that he ſtill maintaineth, this Paſſage was not practicable for theſe four or five Months next following; and that, on the contrary, the other Paſſage over the *Belt*, was never ſtopp'd longer than three or four Days at a Time; however, he ſeemed not to reject the Treaty, but deſired us to ſee, upon what Conditions we could bring the *Danes* to grant it; ſaying, that his chief Aim in making out this Way at firſt was, becauſe he thought the Honour of the King his Maſter was concern'd to have ſome Way open, by publick Allowance, for Intercourſe with his Miniſters here; which being in ſome Meaſure ſatisfied this Way, provided we could bring ſome Alteration in the Conditions, and that inſtead of once a Month, they might ſend once in fifteen Days, and that the Liberty ſhould laſt to the End of this Treaty, whereas the *Danes* propoſed it ſhould be good only for ſix Month, he would accept it, reſerving to himſelf ſtill his Claim for a more ordinary Paſſage for the common Poſt; and in the mean Time, he would take his Fortune under the Coverts of Friends, as he had done hitherto; and particularly thoſe of us the Mediators, which we told him, we had formerly offer'd him, and thought we might ſtill do ſo, and which he ſeemed to approve better of than he had done before; we told him, we foreſaw a great Difficulty ſtill in this Matter, by Reaſon of the *Reciproque* ſo much inſiſted on by the *Dane*: He replyed, it was a Thing he had no Orders in, and could do no more than write about it; but upon this Occaſion, he repeated the Inequality he thought there was in it, and that it could not come into the Nature of a *Reciproque*, except the King of *Denmark* lived in *Norway*, and his Miniſters here could not have Recourſe to him, but by Virtue of this Liberty now demanded. We ſhall purſue this Matter with all the Care we can, and give you an Account of it. We are, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 29th Octob. 1677.

Right Honourable Sir,

SINCE your laſt, which was of the 25*th*, we have not any from you to acknowledge.

On *Thurſday*, as ſoon as the Poſt was gone, M. *d'Eſtrades* and *d'Avaux* came and deſired us to paſs our Offices towards M. *de Haren* (the only Ambaſſador of the States now in Town) upon the Memorial that goes herewith encloſed. It is an Anſwer to the *Dutch* Ambaſſadors, who had ſome while ſince deſired that the Uſage received between the *French* and the *Dutch*, of ſetting all Mariners at Liberty, as ſoon as they are taken Priſoners at Sea, might paſs into a general Rule and Eſtabliſhment equally binding on both Sides; this the *French* will not conſent to, but offer to agree to a Rate, that ſhall be thought reaſonable (and they deſire we ſhould immediately adjuſt it) for every Sea-Officer and Mariner to pay for his Ranſom.

As for the Priſoners lately in hold in *France*, as many as have been taken at Sea are ſet at Liberty; thoſe that are brought from *Tobago*, were

were taken at Land, and in Land Service, and therefore are not to have their Liberty, but upon an Exchange of the like Number of *French* Land Soldiers.

To theſe ſeveral Points, M. *de Haren*, when we paſſed our Offices with him on *Saturday*, ſaid no more, but that he would write to the States his Maſters.

On *Friday* we took an Hour with M. *Heugh*, and offered to enter into Treaty with him, for a Moderation in the ſeveral Conditions, which that Embaſſy had propoſed for the Paſſage of the *Swediſh* Letters; having repreſented to him, as well as we were able, how unreaſonable the two main Conditions were; that is, their demanding a preſent Eſtabliſhment of a free Paſſage for the Letters of all Sorts from *Denmark* to *Norway*, as a *Reciproque* to this from *Nimeguen*; and their reſtraining the *Swediſh* Diſpatches ſo, as not to have Liberty to paſs above once a Month; all he did then was, to charge himſelf with reporting the whole to his Collegue Count *Antoine*, who was then out of Town.

Upon this Occaſion, we acquainted him with his Majeſty's Orders, (repeated to us in yours of the 16*th*) touching Count *Antoine*'s Notifications. He told us, that there needed not many Words of the Thing; that he had heard of it already, and was ſorry it was not more favourable to them: He apprehended that it would have ill Conſequences; that the King of *Denmark* would be forced to revoke Count *Antoine*, and he, M. *Heugh*, was in Hopes to get Leave to return likewiſe; that it was not the King of *Denmark*'s Meaning, nor his Intereſt, (eſpecially at this Time) to offend either his Majeſty or the Emperor, in giving his Deciſion in the Caſe; that the Emperor aſſiſts *Denmark* very generouſly and effectually at this Time, and hath ſent them 4000 Men; and does much more than ſome others of their Allies, tho' they are tied by their Treaty to do more than he; that he had hoped, this Expedient would not have been refuſed, in Regard Count *Antoine* would have contented himſelf with leſs of Ceremony from us, than we have paid to him, M. *Heugh*, or to any other Ambaſſador; not but that they foreſaw the *Imperialiſts* would have cried out upon them, if they ſhould have uſed this Expedient; however, they would have anſwer'd them, that what they did, was a departing from their own Right of being firſt viſited by us, as all laſt Comers have been, and ought to be by the general Rule; yet that they prejudiced not the Pretenſions the Emperor made, by the firſt Notifications; and ſo, ſaid he, had this Expedient been accepted, we would have given you the firſt Viſit.

We acquainted the *French* with the Orders we had received, becauſe the Expedient came from them: M. *Colbert* (who had taken upon him to give M. *Heugh* the firſt Notice that his Majeſty liked it not) told us, M. *Heugh* was extreamly troubled at the Thing, and declared, that as Count *Antoine* was like to get Leave to return to *Denmark*, to which he was very much inclined; ſo he, M. *Heugh*, would uſe all the Means he could to be revoked; and then that there would be one Embaſſy leſs in the Aſſembly.

M. *Colbert* ſeemed to queſtion, whether his Majeſty had had the Thing fully repreſented to him, and asked, whether there was any Poſſibility to obtain of us to write any more of it? We told him, the Repreſentation had been made before his Majeſty in Council, and that the Deciſion had paſſed there; that we durſt not preſume to give his Majeſty any further Trouble about that Queſtion: He told us, M. *Heugh* had no Hopes of preventing his Collegue leaving this Place very ſud-

ſuddenly, unleſs there were ſome Probability that his Majeſty might be pleaſed to admit of ſome Temperament or other, rather than ſee the whole Embaſſy leave this Place: This M. *Colbert* ſaid he had a great Mind to adventure upon once more, by the Way of M. *Barillon*, for that that would at leaſt keep Things in Suſpence a while, and hinder the *Danes* from entring ſuddenly into a Reſolution ſo diſadvantageous to themſelves and the whole Aſſembly.

THESE Things ought not, as we humbly conceive, to be concealed from you, tho' we have excuſed ourſelves to them from writing any Thing touching that Affair; but upon this Occaſion we would be glad to receive your Directions, in caſe M. *Heugh*, or the *French*, ſhould propoſe, that rather than Count *Antoine* ſhould leave the Aſſembly, he might enter into, and bear his Part in all Negotiations with us, without making any Viſit of Ceremony to us, or to any other; ſince we may poſſibly be put to it, and ſome Compliance expected from us, eſpecially if they ſhould call to Mind that Temperament his Majeſty was pleaſed to allow us to enter into with the *Brandenburgh* Ambaſſadors.

ON *Friday* we acquainted M. *Spanheim* with his Majeſty's Orders, relating to the Prince Elector *Palatine*, he charged himſelf to acquaint his Electoral Highneſs with it by that Night's Poſt; and yeſterday the *Holſtein* Miniſter produced us a Letter from M. *de Croſs*, which mention'd a Reſolution of his Majeſty in Council, that his Miniſters here ſhould labour to get that Duke admitted as a Party in this Treaty.

HEREWITH goes a Copy of the Treaty made by M. *Sparr* at *Paris* between *France* and *Sweden*; we hear no more of that latter one we once writ of to you, of which M. *Beverning* had told us: And this Copy we have from M. *Oxenſtiern*, under an Injunction of Secrecy.

M. *Colbert*, in Converſation on *Friday* Night, was bemoaning the very weak Defence of the *Swede* in *Rugen*, and the Difficulty that their Reſettlement would bring to the General Peace; yet the King his Maſter could not with Honour leave them in the War, nor make a Peace that ſhould not take them in; that which would make their Buſineſs ſtill more difficult was, that the *Swedes* will not hear of parting with one Inch of the Ground they were once poſſeſſed of, but pretend to an entire Reſtitution. We remain always, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 1ſt Nov. 1677.

Right Honourable SIR,

SINCE our laſt, which was of the *29th* paſt, we have not the Favour of any of yours to acknowledge; the contrary Winds having prevented all *Engliſh* Letters from arriving theſe two Poſts.

FROM the *Hague* we had News yeſterday Morning, in ſome private Letters and in the *Gazettes*, of the Prince of *Orange* having obtained Leave of his Majeſty and his Royal Highneſs, to marry her Highneſs the Lady *Mary*; there is a Printed Letter from the Prince to the States upon that Subject, which we ſend you here incloſed; and the *Harlem Gazettes* ſay, that there is an Expreſs come to the States with the News of it, in a Yacht from the King.

SEVERAL of the Ambaſſadors here have been already with us, to take Notice to us of it, as a Thing they take for granted, tho' there be no Letters of it out of *England*; when we have Notice of it from you,

you, we ſhall have a fitting Occaſion to expreſs the Reſpect and Duty we owe, to what his Majeſty and his Royal Highneſs ſhall pleaſe to determine. We remain, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 5th Nov. 1677.

Right Honourable Sir,

THE Favour of yours of the 23*th* coming not to hand till *Saturday* the 3*d* Current, we were in all the Impatiency imaginable till we had that joyful News of the Marriage concluded between her Highneſs the Lady *Mary*, and the Prince of *Orange*, (which had been brought here two Days before from the *Hague*) confirmed to us under your Hand. We have not Words to ſpeak the Part we take in this general Joy. We bleſs Almighty God from the Bottom of our Hearts, for inſpiring Thoughts into his Majeſty and his Royal Highneſs, that have ſo charming an Influence upon the Hearts of all *Engliſhmen*, and that give ſo hopeful a Proſpect to the Royal Family, to the two great Nations neareſt concern'd, and indeed to all *Europe* beſides; and we doubt not but his Majeſty and his Royal Highneſs will have ſuch a conſtant and uninterrupted Share in the Joys and Comfort of this bleſſed Marriage, as may bear a Proportion to that Princely Generoſity and Publick Spirit wherewith they concluded it.

Having received the News from you on *Saturday*, we ſent the ſame Day to take an Hour of M. *de Haren*, to congratulate with him upon it; but Word was brought he was not at Home. Yeſterday (being the Day after) he ſent us a Complement upon it, and to tell us withal, that he had juſt now received Orders, by an expreſs Reſolution of the States, to congratulate with us ſolemnly upon this Marriage; but that in Regard M. *Beverning* was already ſet out for this Place, and will be here to Morrow without fail, he deſired he might have Leave to defer the Complement till he came, in order to make it the more ſolemn.

We cannot think that the Solemnity that M. *de Haren* hinted to us, will be limited to their Complement only, there will be probably Demonſtration of Joy and Magnificence both at the *Hague* and here; and as we think ourſelves obliged to bear our Part in them, ſo we ſhould be very happy, if you would be pleaſed to give us ſome Light, at what Time, and in what Manner, we ſhould beſt acquit ourſelves on ſo ſolemn an Occaſion.

As for other Things which are paſſed here ſince our laſt, which was of the 1*ſt* Current, M. *Heugh* made us the ſame Day a ſolemn Complement upon this Marriage; he would, he ſaid, anticipate what he was ſure the King his Maſter would, as ſoon as he ſhould hear of it, order him to ſay upon it, and would aſſure us beforehand, that nothing could be more welcome to the King his Maſter, not only for the Intereſt he hath in all the Happineſs that will follow to *England* and the United Provinces (both his Allies) upon this, but alſo for the particular Concern he hath in all the Contentment that can befal his Majeſty and the Royal Family.

He made his Complement, he ſaid, as well in Count *Antoine*'s Name as his own; the Count being extreamly ſorry for the Accident that debars him from paying us his Congratulations in Perſon. And in this

Place we may tell you, that moſt of the Ambaſſadors and Miniſters here have made to us their Complement upon this Subject.

M. *Heugh* went on to tell us the Reſolutions that Count *Antoine* and he were come to, upon the Overture we had laſt made to him from Count *Oxenſtiern*, about the Paſſage of the *Swediſh* Letters; it was in ſhort this, that tho' it was in their Orders to give Way to the parting of Diſpatches hence once a Month, yet they would adventure ſo far as to agree they may go once a Fortnight: But for the *Reciproque* which they demand for the *Daniſh* Letters to paſs into *Norway*, and ſo back again, he ſaid, it was a Thing enjoined them to inſiſt upon, as a Condition to be preſuppoſed, and not to be debated on as the others: However, in Regard M. *Oxenſtiern* may not be inſtructed (as we told him he was not) in the Point, they would be content he ſhould, as ſoon as he pleaſed, provided he came firſt, and before all Things, to an Adjuſtment of the other Conditions, diſpatch one Courier for *Sweden*; and if that Courier ſhould bring back ſuch an Eſtabliſhment of that *Reciproque* as the *Danes* do demand, then the Couriers might go on once a Fortnight, as is now projected; but if *Sweden* ſhould not grant the *Reciproque*, then the whole Agreement to be void, and no more Diſpatches to go this Way.

When we gave M. *Oxenſtiern* (as we did next Day) an Account of this, his Reflexion was, that he was content to charge himſelf to write to Court about this *Reciproque* for *Norway*; but propoſed, that that might be done in the firſt Place, before they came to a Debate of the Conditions, becauſe it would be ſo much Time loſt if the *Reciproque* were not agreed to; he added, that M. *de Haren* had come to him about 3 or 4 Days ago, by Order from the States, and told him, that the Miniſters of the Court of *Denmark* had ſent to M. *Meyer*, the *Dutch* Reſident, to re-eſtabliſh the Couriers, as they were before the War, from *Hamburgh* to *Sweden* thro' *Denmark*, provided the King of *Denmark* might have a Paſſage for Intercourſe of Letters into *Norway*, thro' the *Swediſh* Territories; that he thinks that Way to be the moſt probable, whereby to come to any Degree of Satisfaction on either Side, and that he will moſt readily imploy himſelf to bring that about.

This Affair hath not to our ſeeming any promiſing Countenance here; therefore we hope his Majeſty doth influence it from that Side in the Court of *Denmark*, where it is in a Manner neceſſary it ſhould be ſettled; theſe Miniſters here having not, to our ſeeming, Power enough to do it. Beſides, M. *Oxenſtiern* aſſures us, that this By-way that the *Danes* offer him is not worth accepting, much leſs of a Value equivalent to the Paſſage into *Norway*; that the King his Maſter will never conſent to it upon the Conditions now propoſed; the only Thing that is practicable and capable of a good Iſſue is, the Re-eſtabliſhment of all Poſts, as they were in thoſe Kingdoms before the War.

On *Friday*, M. *Kinski*, *Heugh*, and *Somnitz*, were with us, to depoſite a new *Dictatum* in our Hands, the Copy of it goes herewith incloſed: It is a Reply to that we had given them ſome Days ſince from the *French*. When M. *Kinski* had read it over to us, (as it is a Stile he hath introduc'd) we laid Claim to that which of Right belongs to us Dictators, both from the Reaſon of the Thing itſelf, and from the Method or Way of Proceeding, that all Parties had agreed to in *May* laſt; which was, that in the *Dictata*, the Mediators ſhould not be tied up to the preciſe Words of the Parties, only ſhould ſet down in Writing what ſhould be judged neceſſary, and the Sum and Subſtance of what they ſhould propoſe.

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THEY inſiſted (Count *Kinski* eſpecially) that we ſhould take all their Words as they had couched them in Writing, and tranſmit them over to the *French* in the ſame preciſe Terms, and by way of dictating. This they ſtood ſtiffly upon; and all the Temperament they framed themſelves to was, that they would be content we ſhould look over their Paper at our Leiſure; and if we found any Thing we ſhould except againſt, to acquaint them with it, and then we ſhould know their Mind, or rather that of the Allies, without whom (as being no more but their Deputies) they would determine nothing. We remain always, SIR, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 8th Nov. 1677.

Right Honourable SIR,

SINCE our laſt, which was of the *5th*, we have the Favour of yours of the *26th* of *October* to acknowledge; in Anſwer to which, we have nothing to return but our Thanks.

ON *Monday* in the Evening, as ſoon as the Poſt was gone, we went to M. *Heugh*, and acquainted him with M. *Oxenſtiern*'s Deſire, to ſend one Courier by the *Route* laſt marked, by whom he might inform the King his Maſter of the *Reciproque* demanded by the *Dane*, for a Paſſage into *Norway*, and know his Pleaſure upon it, before they ſpent any Time here in agreeing the other Conditions, which would be all to no Purpoſe if this *Reciproque* were not granted: M. *Heugh* told us, it was a Thing he could neither grant nor deny, till he had conſulted with his Collegue, which he would do, and then give us his Anſwer. We told him further what M. *Oxenſtiern* had ſaid to us from M. *Van Haren*, that the Miniſter of the States at *Copenhaguen* had writ to his Maſters, that the Miniſters there had offered the uſual Way for the Paſſage of Letters from *Hamburgh* into *Sweden*, as it had been before the War, provided the *Swedes* would allow them, the *Danes*, free Intercourſe into *Norway*: M. *Heugh* told us, he had ſeen a Copy of that Letter from the States Miniſter at *Copenhaguen*, but he was confident that Miniſter had miſtaken the Meaning of the Miniſters there, elſe he ſhould have had Orders too to the ſame Purpoſe; which he aſſured us upon his Honour he had not.

AFTER this was over, we took Occaſion to acquaint M. *Heugh* with the Reflexions we had made upon ſome Paſſages in the laſt Memorial we had received from the Body of the Allies, which we ſent you in our laſt; we told him, that we did it in Confidence firſt to him, in Hopes, that if what we offered appear'd reaſonable and fair to him, he would aſſiſt us in the Aſſembly of the Allies, if it came to be debated there; and having gone through all we had to obſerve to him, we told him, we hoped the Allies would give us our Liberty, in avoiding ſuch Expreſſions as we thought might rather hinder or delay the Treaty, than advance it; and eſpecially ſince what we deſired to omit, was nothing that was eſſential to their Senſe, or could weaken the Force of their Arguments; and we added, that if they ſhould make any Difficulty in allowing us this Liberty, which we thought neceſſary to the Office of Mediators, we ſhould not be able longer to refrain from taking Notice to them, of the Difference we knew ſome of the Parties, that made Uſe of another Mediator, made between that Mediator and us; ſince we

were very certain, that in the laſt Memorial before this, which we had received from the Body of the Allies, all thoſe Exceptions which we had taken to it, and could obtain no Mittigation in, were every one of them omitted in the Memorials given in by the Nuncio, who further had declared himſelf to be at Liberty, to have uſed what Expreſſions he liked beſt, nay, to have given in nothing in Writing at all, if he had pleaſed; and having gone ſo far with M. *Heugh*, we told him, we thought this was a Diſtinction, we hoped we had not deſerved by any Thing that was to be imputed to our Carriage, and wherein we hoped not to ſuffer longer.

He ſeemed ſomething ſurprized with this latter Part of our Diſcourſe to him; but he told us, that in this very laſt Memorial, ſome of the Allies were deſirous to have taken notice, in the Anſwer they return'd by us, of ſome Expreſſions they had receiv'd by the Nuncio, in the Memorial he had preſented them from the *French*, and which we had induſtriouſly omitted, in that we had given in upon the ſame Occaſion; (it was ſomething in Relation to the Beginning of the War, who had firſt declared it, which the *French* had in their Paper imputed to the Emperor and King of *Spain*) but that he and the *Dutch* Ambaſſadors had oppoſed it, ſaying, that they would conſent to the giving no other Anſwer, but what ſuited with the *Dictatum* that the *Engliſh* Mediators had given to their Aſſembly; whereupon he ſaid, that the other deſiſted; he promiſed, that he would make good Uſe of what we had acquainted him with, and we told him, we had advanced all this to him, as depending upon his Juſtice, if we ſhould have need of it.

On *Tueſday* in the Afternoon, we went to Meſſieurs *Kinski*, *Heugh*, and *Somnitz*, to acquaint them with the Reflexions we had made upon their Memorial. M. *Kinski* entred at firſt into the Argument of defending what they had writ, but at laſt ſaid, that they were but Deputies, and ſhould acquaint their Body with what we had ſaid; and we ending this Conference with telling them, that we hoped, if they would take the Pains to conſider their own Paper, without thoſe Expreſſions which we had marked to be left out, they would not find any of the eſſential Part omitted, nor their Senſe altered in the leaſt; and in that Caſe, they would give us Leave to make the Alterations we deſired. We do not trouble you by this Diſpatch with the Remarks we have made, till we ſee what Succeſs they will have in the Aſſembly of the Confederates.

In the Evening after this, M. *Heugh* told us, that he had not as yet taken any Notice of what we ſaid, in Confidence to him the Day before; and did not think it a proper Time, till he ſaw how the Thing was like to go in the Aſſembly; but that in the mean Time, he would prepare Meſſieurs *Somnitz* and *Van Haren*, that we might not be tyed up to harder Terms, than the other Mediator was; he added, that he knew the *Imperialiſts* had written to their Court, that they hoped inſenſibly to engage the Parties, that did not yet make Uſe of the Pope's Mediation, to come into it, of which he ſaid, we might be aſſured they ſhould be aware; we asked him, whether the *Imperialiſts* had found any Fault in our Conduct; he ſaid, he never heard they did; what they attempted was, to do more Honour to the Nuncio, who complained that he was but of little Uſe here; he added, that the *Imperialiſts* had taken notice how the two laſt Memorials preſented by us and the Nuncio differ'd, and had ſaid they muſt try if they could not prevent ſuch Diſagreements in the Reports that were made to them from the ſame Parties, and that he, M. *Heugh*, had ſaid, as

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likewiſe the *Dutch* Ambaſſadors, that thoſe Diſagreements might very well happen from the ſeveral Reaſons of one and the other Mediation to the Parties that employ'd them in doing Offices, but that there was no eſſential Difference, and that they for their Part would take no notice of any Thing, but what was delivered by the *Engliſh* Mediators.

THIS Morning, M. *d'Eſtrades* and *d'Avaux* came to us, tho' it was our Poſt-Day, they ſent us Word, they thought we would be content to hear what they had to ſay, before we ſent away our Letters; it was to tell us, they had received Orders from the King their Maſter, to behave themſelves in the Matter of Count *Antoine*'s Viſits, according to the Directions we had receiv'd out of *England*; and that the King their Maſter was very glad the King had not approved the Expedient that had been offered from hence by M. *Colbert*, for that it had been yielding the Point, and by that Means making ſuch a Diſtinction between the Emperor and other Crown'd Heads, as was againſt his Judgment.

THEY further acquainted us, that they had received Letters from the King their Maſter, by which he acquainted them, how particular a Satisfaction he had in this Marriage of the Prince of *Orange*, and that he did not apprehend any Alterations from his Majeſty towards him upon it; on the contrary, that the Prince of *Orange* might by this Means be more diſpoſed to a Peace; and they having received this Information from their Maſter, they could not but make us acquainted with it, as a Thing that had given them great Satisfaction.

JUST as we were cloſing this, we received yours of the 2*d* Inſtant; wherein we find nothing requires any Anſwer hence upon it. We remain always, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 12th Novem. 1677.

Right Honourable SIR,

OUR laſt was of the 8*th*; ſince which, we have the Favour of yours of the *6th* Current to acknowledge; and therein your great Pains in letting us ſee, not only his Majeſty's Reſolution to be ſtill the ſame, but the ſeveral Grounds and Reaſons that incline him in the Buſineſs of Count *Antoine*. We have the perfecteſt Submiſſion poſſible to his Majeſty's Judgment in the Point, and we had not the leaſt Byaſs in Favour of M. *Colbert*'s Expedient when it was propoſed to us.

WE are extream ſorry to find our Meeting with Count *Antoine*, in the common Meeting Place of the Allies, is diſpleaſing to his Majeſty; it was a Rencounter we could not poſſibly foreſee, nor did we know, that the new Face was Count *Antoine*'s, till the Aſſembly was up; and we being diſmiſs'd, had Time to recollect who it muſt needs be, we having not ſeen him before in any other Place.

THE Opinion that M. *d'Eſtrades* gave us, of not talking of Buſineſs before Count *Antoine*, related to what might poſſibly happen to us at M. *Heugh*'s Houſe, and in his Company only, and not what might happen in the Aſſembly. We had met with M. *de los Balbaſes*, M. *Chriſtine*, and M. *Petcum*, in the Aſſembly before we had ſeen them any other where, and yet we went in, to declare the Meſſages we were charg'd with to the Allies; thoſe Miniſters were then *incognito*, and Count *Antoine* takes himſelf to be the ſame, and while he is ſo, he will

will probably pretend that his Preſence is not to be excepted againſt, no more than theirs was, before they had gone through their Viſits of Ceremony; therefore, upon this whole Matter, we take leave to ask you, whether when we are charged with a Meſſage to the Body of the Allies, it is expected we ſhould require of them that Count *Antoine* ſhould not be there; and *ſecondly*, if he ſhould be there (as we do not ſee how we can be ſure he will not) whether it be his Majeſty's Pleaſure that we retire, and leave the Aſſembly, without delivering our Meſſage? We lay this before you the rather, for that we cannot expect any of the Allies ſhould ſtipulate, he ſhall not be there; and notwithſtanding he be there, the Parties that ſhall have intruſted us, will expect that we diſcharge ourſelves of our Commiſſion. What his Majeſty is pleaſed to command, relating to M. *Gioe* and M. *le Marquiſs de Baden Durlarch*, we ſhall endeavour to execute in the Manner that may be moſt acceptable to his Majeſty.

We told you in our laſt, how we had on *Tueſday* laſt laid before Meſſieurs *Kinski*, *Heugh* and *Somnitz*, ſome Remarks upon a *Dictatum* of the Allies, which had been put into our Hands ſome Days before, to be communicated to the *French* Ambaſſadors on *Saturday*; thoſe three Ambaſſadors gave us an Account of the Reſolution of the Body of the Allies upon the Reflexions we had made.

We take leave to encloſe one Copy more of that *Dictatum*, with the Words we took Exceptions to, ſcored under the Text, and in the Margin of the ſame Paper; the Alterations that the Allies concurred in, at their common Meeting about it upon *Thurſday* laſt, you will ſee from the Words themſelves, and from what we add in the Margin, and the Reaſons for which we deſired the ſaid Alterations. 'Tis true, they ſhewed themſelves more eaſy upon this Occaſion than formerly, for they agreed to all the Alterations we deſired; and we attribute much of it to that Concern we ſuppoſe M. *Heugh*, M. *de Haren*, and M. *Somnitz*, may have ſhewn in the Aſſembly, to have equal Right done and as full a Liberty indulged to us, as thoſe who make uſe of another Mediator indulge to him.

We gave you an Account in our laſt, of the particular Application we had made to M. *Heugh* upon this Occaſion; and he upon *Friday* gave us an Account, ſeeming to be more than ordinary ſatisfied in himſelf, of the Deference that the Aſſembly of the Confederates had ſhown to us, in yielding to all the ſeveral Alterations we had deſired.

He told us, that M. *Kinski*, who had made Report of what we had ſaid by Way of Exception to their *Dictatum*, had omitted the main Thing we had begun our Remarks upon; which was, that the Liberty we took was by the expreſs Directions of his Majeſty, whoſe Pleaſure it was, that we ſhould avoid to tranſmit from one Party to another, not only ſharp Expreſſions, which all civil Perſons had in their own Nature to decline, but alſo all other Things, that open a Way, or give Colour to the other Party to reply with Sharpneſs, or to enter in the Diſcuſſion of Matters of Fact, that can have no Tendency to our great End, which is in ſuch Writing to ſoften what is harſh, and to reconcile what is differently underſtood.

He told us further, that he, *Van Haren*, and M. *Somnitz*, told their Co-Allies at the Aſſembly, that it was fair the *Engliſh* Mediators did not deſire to uſe the *Engliſh* Tongue in their Reports, as the other did make uſe of *Italian* in his; that they, for their Parts, had no other Mediator, and would have none but the King our Maſter, and there

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fore would not endure to have any harder Terms put upon his Miniſters, than were upon that other Mediator.

To this ſome of the Allies anſwered, that the other Mediator may have taken a further Liberty to himſelf in the changing Words put into his Hands, than they (the *Imperialiſts*, *Spaniards*, and *Lorainer*) intended.

M. *Beverning*, tho' expected ever ſince *Tueſday*, came not hither till very late laſt Night; we have not heard as yet from him and his Collegue upon their intended Complement. We are, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 15th Nov. 1677.

Right Honourable Sir,

SINCE our laſt, which was of the 12*th*, we have none of yours to acknowledge.

On that Day in the Evening, after the Poſt was gone, we went to carry to the *French* Ambaſſadors, the Paper we had received from the Allies, which we have already troubled you ſo much about.

They entred a little upon the Merit of the Cauſe between the Duke of *Lorain* and the Biſhop of *Strasburgh*, wherein they pretended to ſhew, that the Duke of *Lorain*, for the Dutchy of *Barr*, was more a Vaſſal of the Moſt Chriſtian King, than the Biſhop of *Strasburgh* was of the Emperor; but they ſaid they would reſerve themſelves to give their Anſwer in Form, and accordingly they had the Paper conveyed to them by Way of Dictate.

On *Tueſday* the *Dutch* Ambaſſadors ſent to us, to ask an Hour when they might come to make their Complement of Congratulation upon the Marriage of the Prince of *Orange*; which being aſſigned them, they came in the Manner that Viſits of Ceremony are uſed to be made, with 2 Coaches and 6 Horſes a-piece: They told us, they came not to make their own Complements, they were commanded by the States to come to us, to repreſent the Joy they had, that his Majeſty, the Duke, and the Princeſs, had altogether concurr'd in favouring the Prince's Deſires.

They obſerved to us, how that from Queen *Elizabeth*, to whom they ſaid they owed the Eſtabliſhment of their Common-wealth, they ever ſince ſought their Protection from the Kings of *England*; concluding with their Hopes, that this Alliance would eſtabliſh a nearer, firmer, and ſtricter Union betwixt his Majeſty and their State; and would be for the Intereſt of the *Proteſtant* Religion, and a happy Entrance upon the Work of a General Peace; with much more to this Purpoſe.

Yesterday we let the *Holſtein* Miniſter know his Majeſty's Orders to us, to do our beſt Offices to have his Maſter admitted as a Party in this Aſſembly; we acquainted him likewiſe, how his Majeſty foreſaw we ſhould be asked, as ſoon as we ſhould move for him, in what Quality the Duke pretended to enter here; he told us, the Duke his Maſter was reſolved to decline coming in as a Party to this War, or as an Ally to any Party that is already in it; and therefore when he ſhould preſent us with his *Plenipouvoir*, he would give in his Proteſtation to that Effect. When it was obſerved to him, that unleſs he offered to come in as Party Principal, or elſe as an Ally to a Party Principal in the War, he would be told, there was no third Capacity in which he could

could be admitted in this Treaty; and that therefore it was likely he muſt declare himſelf an Ally to *Sweden*, as the Biſhop of *Strasburgh* has to *France*, before the War; which would put him upon the ſame Difficulty with *Denmark*, as the Biſhop is with the *Imperialiſts*: His Reflexions were, that it being of Neceſſity the Treaty of the *North* ſhould come into Conſideration here, and receive a Review and Eſtabliſhment in ſome kind or other, before a Peace can be made in the *North*, his Maſter might intervene, as a Party having Intereſt in ſome Branches, or Articles of thoſe Treaties, as having had the Soveraignty of *Sleſwyck* ſtipulated to him, and veſted in him by virtue of them; and therefore might, without ſeeming to ſide with *Sweden*, or to oppoſe the King of *Denmark* in any Thing elſe, pray and deſire, that whatever Alterations that Treaty might have in any other Part of them, yet as to what concerns *Sleſwyck*, they might ſubſiſt entire, for good Reaſons, he ſays, he will be able to deduce; he hoped he, the Duke, would take ſome ſuch middle Way, and expected his Chancellor would draw up his *Plenipouvoir*, in the nunciative Part of it, to that Effect: He expects another Miniſter to join with him here in few Days; what is before ſaid, was rather his own Diſcourſe and Conjecture, (to which we had nothing to oppoſe) than the Senſe and Reſolution of his Maſter.

M. *Colbert* told us, that he had Information, that the *Imperialiſts*, after long Deliberation amongſt themſelves, had diſpatched a Courier to the Emperor, to give him Notice, that there appeared to them a Probability of a Peace to be made between *France*, *Spain*, and the *Low-Countries*, of which they thought it their Duty to ſend him this Notice, that he might conſider of the Meaſures he is to take.

The Nuncio had told M. *Colbert*, as he ſaid, that he was ſure there was a Project of a Peace agreed in *England*; at which he ſaid, he wondered, having heard nothing of it from M. *Barillon*; to this the Nuncio had replied, that M. *Barillon* had ſent him nothing of the Prince's Marriage neither, but that he had this from ſo good a Hand, that he did not doubt of it. We remain, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 19th Nov. 1677.

Right Honourable Sir,

WE have none from yourſelf ſince our laſt, which was of the 15*th* Current; yet we have in our private Letters of the 9*th* out of *England*, the moſt joyful News of her Royal Highneſs being ſafely brought to Bed, on the 7*th*, of a Son; we ſhall therefore take Leave to begin this Diſpatch with our moſt humble Congratulations upon an Acceſſion ſo full of Joy and Hopes to the Royal Family; the more ſtrict our Ties of Duty are, the more we are to ſeek for Expreſſions ſuitable to this Occaſion; but our Hearts abound ſo much the more, as the Bleſſing is more ſeaſonable and welcome; and muſt needs be of a moſt univerſal happy Influence upon all Sorts of Men, as well as of infinite Contentment to his Majeſty and his Royal Highneſs; we have had already the Complement of ſeveral of the Miniſters here upon it.

On *Thurſday*, as ſoon as the Poſt was gone, (that being the Time the *Dutch* Ambaſſadors had aſſign'd us) we return'd them their Viſit of Cere-

Ceremony, and their Complement upon the Marriage; in which Converſation there was nothing of Buſineſs intervened.

We conceiving the Orders in your laſt relating to M. *Gioe*, would be beſt executed by our Applications to M. *Heugh*, not *en Ambaſſade*, but ſeverally, and with Reſerve, (if need were) for more *Reprizes* than we intended in the firſt Addreſs; we found him very tractable upon that Subject: He acknowledged he had already underſtood, that that Miniſter was not acceptable in that Court; nay, he and his Collegue had made that Judgment of him, by the Account he, M. *Gioe* himſelf, gave of the cold Regard his Majeſty had ſhewed him, when he took his Leave of his Majeſty upon his laſt going to *Newmarket*. M. *Heugh*'s Expreſſions were, that he was afraid that he was too much intriguing in his Conduct, and that he was *un peu fâcheux* in his Temper; and that it was ill for them that they had not a more acceptable Miniſter, where the maintaining of all good Correſpondence poſſible with his Majeſty is found to be ſo much their Intereſt: That he, M. *Heugh*, ſhould be very glad for his Part, if his Maſter, the Peace being made here, would honour him with that Imployment; that he would do his Part to anſwer our Expectations; yet that it muſt be conſidered, that Gentleman had ſerved long, and that it would not be well to remove him in Diſgrace, nor of a ſudden; but he would ſee what could be done in it. This is the Sum of what we had from M. *Heugh*, upon theſe firſt Addreſſes of ours (which were one on *Thurſday*, the other on *Saturday*) touching the Removal of M. *Gioe*.

Don P. Ronquillo, after the Complement he made us ſeverally upon the Birth of his Royal Highneſs's Son, entred into a Diſcourſe of his own extream Longing and Impatience, till he do ſee the Project ſo much talk'd of come out of *England*: He will be content, he ſays, with any Project or Plan, be it in itſelf never ſo unreaſonable, provided it be calculated for all the Parties in War, and do come Time enough to be debated throughly, and to receive the Orders of the ſeveral Courts concern'd upon it: But he fears it will be the middle of *December* before any Thing be brought hither, and that before the middle of *February* the *French* will have begun their Campaign; the *interim*, he ſays, will be too ſhort to come to a Reſolution, ſince they, the *Spaniards*, (namely) and the *Imperialiſts*, cannot hope to be able to inform their ſeveral Courts, and to have Orders neceſſary in two Months Time; neither they, nor any other Miniſters here, (as he believes) being enabled to conclude, without Orders firſt had from their Courts.

On *Friday* the *Deux Ponts* Miniſter appeared here, after a long Abſence at the *Hague*; he was inquiſitive to know, whether his Majeſty had done the Duke his Maſter the Charity, to take Notice of his Caſe, and to recommend it to the Moſt Chriſtian King: M. *Spanheim* was with him, and they both told us, that the Duke of *Deux Ponts* had obtained Leave of his Highneſs the Elector, to make Uſe of M. *Spanheim*, when any Thing ſhould offer itſelf here that ſhould concern his Service, his Miniſter deſigning to return; we took that Occaſion to anſwer the Lerter that it had pleaſed the Duke to write to the Embaſſy here, whereof you have had a Copy ſome while ſince, and now we take Leave to incloſe our Anſwer.

Yesterday in the Evening, the *French* Ambaſſadors took an Audience of us, which proved to be upon two ſeveral Points; the one was, to put into our Hands an Anſwer to the laſt Memorial we had dictated to them from the Allies, and of which we ſent you a Copy by

our Diſpatch of the 12*th* of this Month: They told us, they gave it us in Writing for the Help of our Memories; but had a further End in ſo doing, which was, that they, on their Parts, might have ſomething to ſhew in Writing for their own Defence, as it ſhall happen hereafter to be ſeaſonable; in Regard the main End of the Allies, in dreſſing the Memorials they give in ſo frequently, is to value themſelves thereby with their Party, both in this Country and all *Germany* over; (where theſe Writings are very induſtriouſly ſpread) and to lay the *Odium* of delaying theſe Treaties, and of being unwilling to hearken to a Peace, altogether upon them, the *French*. Beſides, they had uſed the greateſt Diligence to give in this Anſwer, (tho' they are convinced all theſe Writings have no Tendency to promote the Work of the Peace) to the End the Allies may not think, (as they do, it ſeems, give out) that they, the *French*, have not Power to anſwer ſuch Writings as theſe are, without firſt having Recourſe to their Court; whereas they are ſufficiently impowered to anſwer them.

They gave us the Memorial, without reading to us any Part of it, and opening of it but very ſlightly, which gave us Occaſion to tell them, that in the doing of our Offices, we muſt be careful, according to his Majeſty's Commands, where we find (in ſuch Writings as theſe) any Expreſſions leading to Sharpneſs, not to communicate them, but to make Uſe of others in their Place; and therefore deſired we might be at Liberty, if we ſhould find any Occaſion for it: This they were well content to give us; but having ſince read over the Memorial, we find it drawn up after ſuch a Manner, that we do not know what Alterations to offer upon it, to make it fit to be delivered without Offence. We take Leave to ſend you herewith a Copy of it, and to deſire your Judgment, what Temperament you would direct us to come to, as to the paſſing of any Offices upon it; for we cannot but think that this will hang ſome Time, before it can go any further than between the *French* and us.

The other Point he had to ſpeak to us of was, to deſire us to acquaint the *Dutch* Ambaſſadors, that the Moſt Chriſtian King had thought fit, by a late Declaration, to revoke that Liberty of *Fiſhing*, which he had granted to the Subjects of the States General, and publiſhed on the 17*th* of *May* laſt; only that his Revocation is not to take Effect till the 1*ſt* of *January* next; the Reaſon, they ſaid, of this Revocation was, that there had been Infractions on the Side of the *Dutch*, namely, of the *Zealanders*, upon the *French* Subjects, notwithſtanding that the States had in the ſame Month of *May*, accorded by Placart the like Liberty to the *French*, as was accorded by the *French* to the *Dutch*: That of the 11 *Dutch* Ships that the *French* had brought up, 8 of them only were ordered to be ſet free; the 3 other were confiſcated, for that they had made Reſiſtance; and that thoſe 8 are not to be diſcharged, till Satisfaction be given for thoſe Pillages the *Dutch* have acted upon the *French* ſince the aforeſaid Placart. They told us, they would ſend us Copies of the Revocation, and of a Memorial that was ſent them of the Infractions of the *Dutch*, but we cannot hope they will come Time enough to ſend you Tranſcripts of them by this Diſpatch. We are, *&c.*

L. Hyde.
L. Jenkins.

Nime-

Nimeguen, 22th Nov. 1677.

Right Honourable SIR,

SINCE our laſt, which was of the 19*th*, we have received the Favour of yours of the 13*th*, and therein two Memorials, the one from the Princeſs *Sophia*'s, the other from the Elector of *Cologn*'s Miniſter; we ſhall endeavour to execute what is directed upon them, as Occaſion ſhall offer: We could wiſh the Buſineſs of the Paſſage for the *Swediſh* Letters were in ſo good a Forwardneſs to be adjuſted, as you ſeem to conceive there; we can add nothing to what you have in former Diſpatches from us upon that Subject, but the hearing nothing from M. *Heugh*, with whom we had laſt paſſed our Offices; we took Occaſion to ask him, whether he was come to any favourable Reſolution upon that Point? To which he anſwered, that he had yet no further Orders from his Maſter: And having Occaſion to be with M. *Oxenſtiern* laſt Night, and he enquiring after this Matter, we had no better Account to give him.

ON *Monday* in the Afternoon, we did our Offices with the *Dutch* Ambaſſadors, upon the Subject the *French* had recommended to us the Day before, concerning the King their Maſter's recalling the Liberty he had granted for their Fiſhing; the Copy of which Revocation, together with the particular Infractions that hath cauſed it, as it was put into our Hands by the *French*, we left with them; and now ſend the like to you, which we had not Time to do in our laſt.

THE *Dutch* Ambaſſadors ſeemed a little ſurprized with the Revocation, but they acknowledged, that ſome of their People, eſpecially thoſe of *Zealand*, were hardly reſtrained from running out to try their Fortune at Sea; and that it was reaſonable, that if the States expected any Benefit from ſuch Agreement, they ſhould make them good on their Part.

AFTER this, we went to the *French* Ambaſſadors, to repreſent to them the Reflexions we had made upon the Memorial they had given us the Day before, to be carried to the Body of the Allies, of which we ſent you a Copy in our laſt; we obſerved to them ſeveral Recapitulations in the Beginning, and ſo many Exaggerations throughout the whole Paper, that we apprehended might provoke the adverſe Parties to ſharp Replies, which would not advance the Peace; and therefore deſired them to give another Turn to their Memorial, ſince it was not leaving out here and there ſome Words, that would make this (in our Opinion) fit to be carried to the Allies.

THEY told us, they found themſelves ſo attacked by the Writings from the other Side, which were publiſhed throughout the Empire in the Words they were firſt drawn, and not as they were afterwards ſoftened by our Interpoſition; wherein the Delay of the Negotiation of Peace was laid at their Doors, that they thought themſelves obliged, by ſuch Recapitulations, to let the World ſee what Advances they had made on their Side towards it.

HOWEVER, they did not inſiſt that we ſhould tie ourſelves to their Paper ſo as to dictate it, it was a Way of Negotiating they approved not of, and would willingly have an End of it; ſo that if we could prevail with the adverſe Parties to receive their Anſwer from us by way of Report only, without putting us to dictate it afterwards, they were

contented we ſhould repeat only their Reaſons, and uſe what ſoftnings we ſhould think fit.

In another Converſation we had with them laſt Night, they told us, that ſince our laſt being with them, the Auditor of the Nuncio had been likewiſe to repreſent to them the Difficulties the Nuncio found in their Memorial, if they expected to have it communicated in their own Words; and that they had given him the ſame Liberty they had given us, provided he did it by Word of Mouth, and left no Writing of it; they told us, they had furniſhed him with two Reaſons more, which they had deſired us likewiſe to make uſe of; the *firſt* was, that whereas the Allies, to exclude the Biſhop of *Strasburgh*, had alledg'd, that he was not in Arms, and was no Party of the War, therein making a main Difference between him and the Duke of *Lorain*, which was both.

They anſwer'd, that to be admitted into this Treaty, it is not neceſſary to be a Party in the War, ſince that the Form of the *Plenipouvoirs* agreed on by common Conſent, runs to treat with the Parties in War, and their Allies indefinitely, that a Controverſy had been ſo many Months ago, whether thoſe Words *contre nous en guerre*, ſhould be added to the Word *Alliez*; and it having been acquieſced in, that all Allies without Diſtinction, whether in or not in the War, ſhould be admitted to treat here, that Diſpute ought not now to be renewed. The *ſecond* was, that the Emperor having given his Paſſport to the Biſhop's Miniſter to come here, as his Plenipotentiary in this Treaty, had certainly then admitted him as a Perſon capable, and having Intereſt in it: Theſe two Reaſons is all we are like to communicate to the Allies, inſtead of the long Memorials we ſent you.

On *Tueſday* in the Afternoon, Meſſieurs *Kinski*, *Heugh* and *Somnitz*, came to us in a Deputation from the Body of the Allies, to acquaint us with a Complaint they ſaid, the *Dutch* Ambaſſadors had brought to them from the Lieutenant of this Garriſon, of ſome Inſolencies committed upon the Rampart of the Town, in throwing down a Piece of Cannon and the Carriage of it into the Ditch, and the other Night aſſaulting one of the *Corps de garde*. The *Dutch* Ambaſſadors in making their Complaint, had ſaid, they were commanded by their Maſters never to take upon them any Government or Direction in the Town; and therefore thought it was the beſt Way to ſend to the Mediators in this Caſe; and that accordingly the Allies had ſent them, to make us acquainted with theſe Facts, and to deſire us, we would think of ſome Means, if it were poſſible, to find out the Offenders, and to prevent the like Diſorders for the future, offering themſelves to be ready to joyn with us in any Thing we ſhould propoſe to this End, and hoped that all the Ambaſſadors and Miniſters here would agree to withdraw their Protection from any of their Domeſticks, if they ſhould be found guilty.

They deſired us to enquire into the Matter, and ſo paſs our Offices with the Ambaſſadors of the adverſe Party. Yeſterday we ſpoke with the Lieutenant, who averred all, and afterwards we applied ourſelves to the *French* and *Swede*; whom we find willing and ready to concur in any Expedient or Reglement to prevent ſuch Diſorders. We remain always, *&c.*

L. Hyde.
L. Jenkins.

Nime-

Nimeguen, 26th Novem. 1677.

Right Honourable SIR,

OUR laſt was of the 22*d*; ſince which, we have none from you to acknowledge; and indeed know not how to hope for any, as the Winds are, and have been ever ſince *Saturday* was ſevennight.

IN our laſt ſave one, we ſent you a Memorial that the *French* had put into our Hands, by Way of an Anſwer to a Paper of the Allies; and in our laſt, we gave you an Account of the Repreſentations we had made to them, upon ſeveral Things in it that we thought made it unfit to be communicated, and alſo of the Temperament they were pleaſed to come to, in leaving it to us to report their Reaſons to the Allies, and to uſe what Softnings we ſhould think fit. The Liberty we have ſince uſed hath been to ſum up their Anſwers and Reaſons, as you will find them in the Paper inclos'd, which we communicated to them on *Saturday*, in Order to diſcover whether we had comprehended their Minds or not.

THEY were pleas'd to like of what we had done; nor did they offer us any Thing material either to add, or to alter in it, and thereupon deſired our Offices upon it, towards the Body of the Allies; giving us Liberty withal, if they ſhould preſs us very much, to dictate it to them, but not as a Writing of theirs, only as a Collection or Abſtract out of ſeveral Diſcourſes they made to us, by Way of Anſwer to the laſt Paper of the Allies.

THEY deſired us withal to do our Endeavour with the Allies, that this Way of Writing may be left off; and the other, of leaving it to the Mediators, to go between the Parties with Meſſages and Anſwers by Word of Mouth, may be brought into Practice, as the Way moſt likely to advance the Negotiation.

THIS we took to be an Occaſion proper and neceſſary for us, to diſcover to them his Majeſty's Orders to us of the 6*th* of this Month. *To except againſt Count* Antoine's *being admitted by us to enter, aſſiſt or mix as a publick Miniſter of the King of* Denmark's *in any Conference, Meeting, or Tranſaction of Buſineſs in the Aſſembly, and that we ſhould forbear to tranſact in any Matter of Buſineſs, relating to the Work of the Aſſembly, where he is as a Party*; by which they might ſee, that his Majeſty's Pleaſure was ſo clear and expreſs in the Caſe, that we durſt not appear in the Body of the Allies, nor be able to perform any Office, or to open our Mouths of Buſineſs, in Caſe Count *Antoine* were preſent.

IN this they ſeemed to be troubled, partly for themſelves, and partly for us; for themſelves, they ſaid they had an Intereſt, that their Anſwer to the Allies ſhould be lodged with them with the ſooneſt, that they may not have the uſual Pretext to charge them, the *French*, with Delays; for us, they ſaid, they were troubled, becauſe that ſuch a Carriage of ours towards Count *Antoine*, would determine him to do what he is yet kept in ſuſpence, and would give the *Imperialiſts* an Opportunity to diminiſh, by their Clamours, as much as in them lies, the Reſpect due to his Majeſty's Mediation. That Count *Antoine* would have one main Advantage of us, as M. *Colbert* ſaid, in that he had hitherto made no Step towards the *Imperialiſts*, at which his Majeſty can take Offence, nor been near ſo long *incognito* here, as ſome other of the Allies (meaning *Don P. Ronquillo*) have been; and it would certainly come

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to his Knowledge, he ſaid, that the Marquiſs *de los Balbaſes*, and others, have appear'd at the Aſſembly in the Figure of *incognito*, and before they had rendred any Viſits to the Mediators, which is all that can be hitherto charg'd upon Count *Antoine*.

But that which M. *Colbert* ſeem'd to apprehend moſt was, (for he ſpoke it with ſome Change of Countenance) that the Being of this Aſſembly would run a Hazard upon ſuch a Breach as this is; wherein 'tis in a Manner certain, that all the Confederates will take the Count's Part; upon the Score of his not having failed in any Reſpect due to his Majeſty. That for their Parts, they durſt not be wanting in any ordinary Reſpect or Civility towards that Count, when they meet him in third Places; nor ſhould they be ſo, if he comes to their Houſes; and it cannot be denied, but they have a Right in their Turn, and after the Mediators, to be viſited in Ceremony, as well as the Mediators themſelves.

But they concluded with this, that tho' they have a great Concern that their Anſwer ſhould be given to the Allies with the ſooneſt, yet they have a greater, to preſerve his Majeſty's Mediation in its intire Vigour and Reſpect, as far as in them lies; therefore that rather than ſuch an Embarraſs ſhould be brought upon it, as they foreſee will be, if we ſhould refuſe to perform our Offices upon their Anſwers towards the Body of the Allies, becauſe that Count *Antoine* will be preſent; they will ſacrifice to the Mediation this Anſwer, and all the Advantages that might come to them by giving it in; nor would they deſire us to paſs our Offices upon it, till we have his Majeſty's further Pleaſure, upon a Repreſentation they judged fit we ſhould make of their Scruple and Apprehenſion, as we had already made of our own; and ſo we ended this Converſation, reſolving not to go to the Allies in their Aſſembly upon this Anſwer, till we have the Honour to receive his Majeſty's further Pleaſure; humbly hoping, that tho' his Royal Judgment ſhould, after this Repreſentation, be the ſame, yet that he will graciouſly pardon the Liberty that we have taken, humbly to lay before him the Scruples and Apprehenſion of others, as well as of ourſelves.

We muſt not forbear to add, that it was their Opinion, we ought not to let any of the Confederates know we are under this Injunction, till we be further inſtructed, whether, notwithſtanding all theſe Inconveniences ſo like to attend ſuch a Proceeding, we ſhall be ſtill commanded to except againſt Count *Antoine* being preſent amongſt the Allies, whenever we have Occaſion to go to them?

By this you will ſee, what the Opinion of the *French* Ambaſſadors is, as to our Carriage towards Count *Antoine* in the Aſſembly, notwithſtanding they be of the ſame Judgment ſtill with M. *d'Eſtrades*, if we ſhould meet at M. *Heugh*'s Houſe; one Reflexion more we have to add of M. *Colbert*'s; it is, that if ever Count *Antoine* come to notify us, we receiving Notifications in the firſt Place, and performing our Viſits of Ceremony, but with a Coach and two Horſes, as we have done ever ſince his Majeſty hath ſo ordered it, he may after ſo long Difficulties be ſo ſtiff as to give us the Reviſit with a Coach and two Horſes likewiſe; whence the *Imperialiſts* will have a Colour to give out, that having viſited them, and all the reſt of the Ambaſſadors, in full *Parade*, the Viſit he return'd to the Mediators was but a private Viſit, and of the ſame Kind with thoſe he had rendred long before to his ſeveral Allies; and M. *Colbert* was of Opinion, that if he ſhould return his Viſit in this Manner with a Coach and two Horſes, it might ſeem

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ſome Diſreſpect, and yet that we cannot in Juſtice demand more than we bring.

LAST Night we acquainted the Deputies of the Allies, that had been with us about the Diſorders of the Footmen upon our Ramparts here, that the *French* and the *Swede* were ready to concur in any Regulation, to prevent ſuch Inſolencies for the future. We offered them a Draught of an additional Article to the former Reglement, which they deſired Copies of, to have the Judgment of the Allies upon it. We are, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 29th Nov. 1677.

Right Honourable SIR,

HAVING none of yours ſince the 13*th*, we have little to add to the Trouble we gave you by our laſt of the 26*th*, only on that Day, as ſoon as the Poſt was gone, the *Dutch* Ambaſſadors put the Memorial incloſed into our Hands; whereby they deſire us to repreſent to the *French* Ambaſſadors, that the States General have not been in the leaſt informed of the Infractions charged in the *French* Edict, for revoking the Liberty of Fiſhing upon their Subjects; and that whenever they have any due Information of them, they are ready to make Reparation; that the *French* Fiſhermen have had at *Newfoundland* the full Advantage of the Liberty intended to the Fiſhery of both Nations; but that the *Dutch* did not meet there with the like Meaſure from the *French* Capers; that they deſire the Releaſe of all their Fiſhing Bottoms, even thoſe that made Reſiſtance; ſince to defend one's ſelf where the Aggreſſor is not known, is permitted by the Law of Nature. Upon the whole, they do pray, that the Moſt Chriſtian King would pleaſe to continue the Liberty accorded by his Ordnance in *May* laſt, they, the States, being reſolved not to revoke theirs.

ONE Thing they deſired us to inſinuate by Word of Mouth, they having not thought convenient to make it Part of their Memorial: It was, that the *French* Fiſhermen having had the full Benefit of the Seaſon they imployed themſelves in, were got into their Ports, at leaſtwiſe would be ſo before the 1*ſt* of *January*; at which Time the Revocation is to take Place; but that, on the other Side, the *Dutch* Fiſhermen had a Fiſhing upon the Dogger Lands and otherwhere, that would be extreamly hindred, and in a Manner ruined, if the *French* Revocation took Place as ſoon as the 1*ſt* of *January*, which they deſired us to repreſent as a Thing not equal.

NEXT Day we paſſed our Offices upon this Memorial with the *French* Ambaſſadors, which we left with them; and delivered them beſides, by Word of Mouth what we were deſired; the Inequality we alledged, they would not admit of as a Thing that deſerved to be conſidered on their Side; for that the *Dutch* employing ten Fiſhermen to one of theirs, the *French*, all the Year round, and in all Sorts of Fiſhing, they ought to be ſatisfied with that Advantage they had enjoyed as long as the Liberty laſted.

UPON the whole Matter, they did not, they ſaid, upon the reading of the *Dutch* Memorial, find any Thing in it that was likely to diſpoſe their King to retract his Revocation, or to releaſe thoſe *Dutch* Ships that are now in hold, to anſwer for the Pillages acted during this Liberty

berty of Fiſhing upon the *French* Subjects; nor was it Reaſon, they ſaid, that they, the *French*, ſhould make good the Liberty of Fiſhing to all the Subjects of the States, ſince one entire Province of theirs, (*Zealand* by Name) had refuſed abſolutely to concur with the reſt of the Provinces, in the Liberty accorded to the *French* for their Fiſhing, and acted their Pillages and Hoſtilities upon them.

To this Particular we told them, that the *Dutch* Ambaſſadors did not pretend to juſtifie the Proceeding of thoſe of *Zealand*; and ſaid, the States General would take Care, that the *Zealanders* ſhould behave themſelves as the other Provinces had agreed to do. The *French* at laſt concluded, they would tranſmit the *Dutch* Memorial to their Court, ſince we had by our Offices requeſted them to do it.

At the ſame Time, we left with them a Copy of the additional Article we ſent you in our laſt, as a Proviſion intended againſt the Diſorders upon the Ramparts, which they took ſome Time to conſider of; taking thereby Occaſion to let us ſee, that there were ſome Gentlemen, Inhabitants of this Town and Country, whoſe Lacquies wear Swords, whilſt theirs, the *French*, and thoſe of all other Ambaſſadors, were under a ſtrict Injunction to wear none at all; which they took to be ſomewhat unequal; this we charged ourſelves to enquire of, and if it were ſo, to have it remedied. We are ever, *&c.*

L. Hyde.
L. Jenkins.

Nimeguen, 3 d Dec. 1677.

Right Honourable Sir,

Our laſt was of the *29th* paſt, ſince which we have the Favour of yours of the *20th* and *23 d* to acknowledge.

As ſoon as we received them, (which was not till *Saturday* the *1ſt*) we ſet ourſelves to execute that Part in yours of the *20th* which concerns Count *Antoine*.

We took an Hour immediately from the *French* Ambaſſadors, for they being made privy by us to his Majeſty's Pleaſure, which we had the Honour to receive in yours of the *6th* paſt, and having delivered us their Thoughts upon it, as you will have found in our Diſpatch of the *26th* following, we thought fit to let them know, in the firſt Place, the Injunctions (once more repeated) that we are now under.

They told us, after we had opened the Buſineſs to them, that his Majeſty having deliberated of the Point in his Council, they had nothing to ſay; but that they, for their Parts, would follow the Orders they had already receiv'd from their Court, and would not viſit Count *Antoine*, unleſs the firſt Reſpect due to the Mediation were paid us.

Only they were very inquiſitive to know, whether we had any Orders that took Notice of the Converſation they and we had on *Saturday* was ſevennight the *24th* paſt, whereof you have an Account in ours of *Monday* the *26th* following; and more particularly, whether his Majeſty had been fully informed of M. *de los Balbaſes* appearing (being yet *incognito*) in an Aſſembly where we were preſent: And whether his Majeſty found any ſuch Difference between the one Caſe and the other, as did aggravate Count *Antoine*'s Caſe more than it did the Marquiſs's.

We told them, that tho' the Anſwer we had now from Court, be not upon the Repreſentation we had made of their Senſe, and upon the Con-

Converſation we had with them upon this Subject, for that that could not be, for the Shortneſs of the Time, yet that we found his Majeſty's Anſwer now to be final as well as preciſe; and have no Ground to expect any the leaſt Alteration in his Majeſty's Judgment and Pleaſure in that Particular. To the other Point, we ſaid, that his Majeſty had very particularly compared Count *Antoine*'s Caſe with that of M. *de los Balbaſes*, and had found that the Marquiſs had never made any Doubt or Queſtion of his Majeſty's Right as Mediator; but that Count *Antoine* being ſufficiently, we doubted not, informed of that Right, had hitherto deferr'd to pay it, and offer'd at avoiding the Queſtion by the Means of Expedients, which his Majeſty can admit of by no Means.

It was their Senſe upon the whole Matter, that to the End there might be no Obligation upon us to go to the Aſſembly, upon any Errand of theirs, the *French*, their Anſwer to the Allies might reſt ſtill in our Hands; they not thinking it of that Conſequence, as to bring them to be in any wiſe acceſſary to ſuch an Embarraſs, as they apprehended might, upon this Occaſion, be brought upon the Mediation.

As to the 2*d* Point of our Orders, which is, our telling this plainly and nakedly to the Confederate Miniſters, they ſaid, if they might adviſe us, we ſhould begin with the *Dutch* Ambaſſadors, and go no further for ſome Time; the Reaſon was, that the *Dutch* Ambaſſadors being told of it, would ſufficiently diſperſe the Knowledge of the Thing to their Co-Allies; which they ſuppoſed to be all his Majeſty aimed at; and would withal, out of the Regard they cannot but have for his Majeſty's Mediation, endeavour to prevent their Co-Allies from laying hold of this Occaſion to enter into Cabals for the ſetting aſide of his Majeſty's Mediation.

We had already taken an Hour to be with the *Dutch*, as ſoon as our Audience was over with the *French*; we acquainted them nakedly and plainly with our Orders, both to abſtain from all Aſſemblies, even thoſe of the Body of the Allies, where Count *Antoine* ſhould aſſiſt; and to let the Allies know, we were commanded by his Majeſty expreſly to do it. We found them ſomething ſurprized, and in much Heſitation, what to do on their Parts; they asked us immediately, whether we intended to denounce this to Count *Antoine?* To which we readily anſwered, that we had nothing to lead us to that Step, having no Manner of Communication with him; then they obſerved to us, how hard it would be, to expect that they ſhould be the Meſſengers to the Count, much more to deſire him to forbear their Aſſemblies; beſides that, in any Debate about it, they ſhould be over-voted; for to the *Auſtrian* Miniſters, who would be very warm in this Quarrel, the *Brandenburghers* will rather lean than to them, the *Dane* having a newer and a ſtricter League with the *Brandenburghers* and the *Imperialiſts*, than he hath with the States.

They talked ſome while together, and afterwards with us, making it their Deſire for ſome Time of Reſpite, and that it might reſt till after the ordinary Aſſembly of the Allies this Day; for by that Time, they ſaid, they would have their Letters from the *Hague*, and probably ſome from M. *Van Beuninghen* upon this Subject; their Co-Allies likewiſe would have Letters of this Matter out of *England*, and the *Danes* in all Probability from their Miniſter there; that this would come to be ſtirred, as they believed, in the Aſſembly that is to be the Evening of this Day, and then we ſhould hear further from them.

Finding this to be the Senſe of the *Dutch* Ambaſſadors, and that they deſired this might be kept till after this Day, we did not go to

the *Brandenburghers*, whom we intended to apply to immediately after the *Dutch*, but have reſolved to ſee what the Aſſembly of the Allies will produce this Evening.

We cannot think, that tho' we are directed to acquaint the Confederates with this Reſolution of his Majeſty, that it is intended we ſhould go to the Miniſters of the Emperor in particular; we humbly conceiving, that before we do make a Step ſo likely to end in a manifeſt Breach, as may happen hereupon between them and us, we ſhould have more expreſs Directions in the Caſe.

We humbly thank you, as for the Deductions of his Majeſty's Reaſons ſo fully in your Diſpatch, ſo for the State of the Caſe you are pleaſed to ſend us withal incloſed. We ſhall take Leave to obſerve to you upon that ſeparate Paper, that as to the Matter of Fact in the two firſt Points, if it be put upon us to vouch them, we do not find that our former Diſpatches, or our Memories, will come up to the ſtrict Words in which the Facts are ſtated; for in the Fact of the *1ſt Query* it is ſaid, that Count *Antoine* reſolves at his Arrival to notifie the Emperor's Ambaſſadors before thoſe of the Mediator's; we know not how to make Proof of this Reſolution; it is certain, that before and after his coming, we inſiſted to be notified before the *Imperialiſts*, and that the Occaſion of our ſo doing was, not from any Reſolution we have diſcovered of Count *Antoine*'s, but from the Irreſolution we found M. *Heugh* and M. *Petcum* in, as to Count *Antoine*'s doing his Majeſty's Miniſters that Right.

A *2d* Fact alledged is, that Count *Antoine* offers, by Way of Expedient, to come and viſit the Mediators without notifying them; and then to proceed to notifie the *Imperialiſts* and others: If the Proof of this ſhould be caſt upon us, we ſhould not be able to make it ſo clear; for the firſt Mention of it to us was by M. *Colbert*, as his own Thoughts; it is true, M. *Heugh* hearkened after the Succeſs of it; and that M. *Colbert* had not had it from the *Dane* is ſomewhat probable, in that M. *Colbert* propoſed the Viſit ſhould be made *en Parade*, but M. *Heugh* underſtood it ſhould be *in private*.

This we humbly take Leave to obſerve to you, to prevent, if you think fit, that the State of the Caſe, as now it is, do not go further Abroad.

Being gone thus far, we have the Favour of yours of the *27th* come to our Hands; and we ſhall obſerve his Majeſty's Directions all we can, in ſoftening ſuch Publick Papers as any of the Parties ſhall put into our Hands.

This Diſpatch was peruſed by Mr. *Hyde* my Collegue, and intended to be ſigned by him this Day, before his going hence for the *Hague*; but he being willing to take Advantage of the Wind, as it preſented itſelf this Morning early, the ſigning of it is left to me alone, who am your, *&c.*

L. Jenkins.

Nimeguen, 6th Dec. 1677.

Right Honourable Sir,

SINCE our laſt, which was of the *3d*, there is none from you come to Hand: That Diſpatch happens to be ſigned by me alone, Mr. *Hyde*, after the preparing of it, taking his Journey for the *Hague*, before it could be made ready for his Hand.

You

You have in it an Account of what we had done with the *French* and *Dutch* Ambaſſadors, in Execution of his Majeſty's Orders touching Count *Antoine*. I went on *Monday* to M. *Oxenſtiern*, to acquaint him (as I did in the plaineſt and fulleſt Manner I could) with thoſe Orders; Mr. *Hyde*, before he went, thinking, as well as myſelf, that it would be decent for us to give him the Communication of this Incident, rather than leave it to his Allies, the *French*, to do it, or to let it come to his Knowledge ſome other Way; taking Occaſion withal to inſinuate to him, how far all Crowned Heads, and conſequently the King his Maſter, are concerned in this Affair.

His Anſwer was, that he was very ſorry his Majeſty meets with ſuch a Diſappointment from the *Dane*; that he would write to the King his Maſter about it, who, he is ſure, when he hears it, will be troubled; that he had a good while ſince had Diſcourſe with his Allies, the *French*, upon this Subject, and would take the firſt Occaſion to ſpeak with them again upon it: He did not ſay ſo roundly as the *French* did, that he would not viſit Count *Antoine*, in caſe he ſhould give his Notifications about, unleſs he ſhould find that the firſt Reſpects were done to the Mediation. I drew him the neareſt I could to that Point, in touching (with Acknowledgments) upon what himſelf and his Collegue had practis'd towards us in this Place; and alſo in minding him of what his Majeſty's Miniſters and the *French* had done at *Cologn* towards the Mediation of *Sweden*.

He kept himſelf within general Terms, acknowledging the firſt Reſpect, in ſuch Aſſemblies as theſe are, to be due to the Mediators; but reſerving himſelf to ſpeak with the *French* his Allies, without ſaying what he would do, in caſe he ſhould be notified by Count *Antoine*.

We gave you an Account alſo in our laſt, how we had acquainted the *Dutch* Ambaſſadors with his Majeſty's Orders to us, touching Count *Antoine*; and how they had deſired us to reſpite them till their Aſſembly of that Day was over, where they thought that Buſineſs would come to be ſtirr'd, either by the *Dane*, or ſome other of the Allies. But ſeeing I heard nothing from them, I went laſt Night to M. *Beverning*, to inquire of that Matter; he told me, he had been at the Aſſembly on *Monday*, on Purpoſe to attend this Thing, if any Thing ſhould happen to be moved in it, and that his Collegue M. *de Haren* had been ſince at Count *Antoine*'s, to diſcover, if poſſible, what Courſe the Count would take, and what the *Danes* would propoſe to the Confederates, when his Majeſty's Orders to his Miniſters here ſhould come to their Knowledge; but there was no Mention made of this Buſineſs, either at the Aſſembly or at Count *Antoine*'s.

He added further, that they, the *Dutch*, had no Letters from M. *Van Beuninghen* by the laſt Poſt; that therefore they deſired me to let Things ſtand as they do, till they receive their next Letters out of *England*; for that it concerns them extreamly what Step to make, when his Majeſty's Pleaſure becomes more Publick; and they will be better heard amongſt their Confederates, when they come to debate about the preſerving of his Majeſty's Mediation entire, and in its full Vigour, when the Informations they have of his Majeſty's Pleaſure ſhall be from their own Miniſter.

Upon the whole Matter, I thought it ſafeſt to comply with this Deſire of his, and to let Things reſt for the little while he deſired; and the rather, becauſe that Part of his Majeſty's Orders, which is, that we ſhould forbear the Publick Aſſemblies, is ſecured, and hath its full Execution; and the other Part, of declaring this his Majeſty's

Pleaſure, and the Reaſons for it, is ſo far complied with, that the *French*, the *Swedes*, and the *Dutch*, have their Parts of it in the fulleſt Manner.

YESTERDAY Morning, M. *Somnitz* went hence for the *Hague*, to complement their Highneſſes from the Elector his Maſter.

I have had Occaſion to ſee ſome or other of every Embaſſy here, theſe two laſt Days; it was to move them for Paſſports in the Name of the Elector of *Cologn*, for three Deputies that his Electoral Highneſs deſigns for this Treaty, in Behalf of his Principalities of *Liege*, according to the Memorial encloſed; I did not find any of them inquiſitive in any of thoſe Things they uſed to be, but only for the Return of my Lord of *Feverſham* from *Paris*.

BEING with M. *Oxenſtiern* on *Monday*, (as above) he asked me, if there were any Hopes about the Paſſage of their Letters through *Denmark*: Having given him an Account of the Offices we laſt paſt in that Affair, and where it ſtuck, he deſired me to move it to M. *Heugh* again; which I did yeſterday, and was told, that he, M. *Oxenſtiern*, might blame himſelf, that that Office ſticks as it does, they having offered him to let a Courier go to the King of *Sweden*, to know whether he would accept of the *Daniſh* Conditions, provided M. *Oxenſtiern* would agree to them, in Hopes his Court would ratifie them; M. *Heugh* adding, that they had given an Account to their Court, of the Offer they had made, and had been approved therein.

I was this Day with M. *Oxenſtiern*, to let him know M. *Heugh*'s Anſwer; he could not, he ſaid, accept of thoſe Conditions, tho' but proviſionally, becauſe he durſt not propoſe the Liberty of the Letters of the Court of *Denmark* for *Norway*, as it was deſired; but would do it if it be conſidered as a ſeparate Thing from the Letters relating to *Nimeguen*; and that in Lieu of that Liberty to *Norway*, all Letters addreſs'd to the Court of *Sweden* from *France*, *Germany*, and other Parts, might be permitted to paſs by the ordinary Poſt of *Denmark*: He added, that the *French* Ambaſſadors had lately aſſured him, that if Things in this Treaty ſhould come to never ſo great a Ripeneſs, and be concluded, and ready to be ſigned, yet that they, the *French*, would do nothing till the *Swedes* be ſatisfied in Point of Correſpondence with their Court. That he expects by the Return of M. *d'Olivenkrantz*, to have Orders to inſiſt for this Liberty in ſuch a Manner, as he is ſure will be taken notice of; tho' he deſired this might not be underſtood to come from him at this Time, by Way of Menace what they will do. I am, *&c.*

L. Jenkins.

Nimeguen, 10*th Decem.* 1677.

Right Honourable SIR,

MY laſt was of the *6th*; ſince which, I have not the Favour of any from you to acknowledge.

I took leave in it, to acquaint you of my having been the Evening before (which was *Wedneſday*) to ſpeak with M. *Beverning* about Count *Antoine*'s Buſineſs, and how he had deſired Things might ſtand as they then did, till they, the *Dutch* Ambaſſadors, ſhould receive their next Letters out of *England*; I have not heard from him ſince; and yeſterday in the Evening, when I would have gone to ſpeak with him again about the ſame Buſineſs, I found him gone out of Town ſome Hours

Hours before: He is gone to the *Hague*, and it is ſaid, that as ſoon as he has complemented the Prince and Princeſs, will return.

I gave you alſo an Account in my laſt, of M. *Oxenſtiern*'s Reply to M. *Heugh*'s Anſwer, about the *Norway* Letters; which was, that he would propoſe the Thing, and free Paſſage of them to his Court, provided that in lieu of it, all Letters addreſſed to the Court of *Sweden* from *Denmark*, *Germany*, and other Parts, might have free Paſſage into *Sweden*, by the Conveyance of the ordinary *Daniſh* Poſt, *&c.*

M. *Heugh*'s Anſwer was to this Effect; that they, the *Danes*, had not ſought to M. *Oxenſtiern* for their Conveyances of ſending into *Norway*, nor have they much need to do it, ſince they have Ways that the *Swedes* cannot hinder them in; but that the *Swedes* asking them for Conveniencies of correſponding with their Court from *Nimeguen*, they, the *Danes*, had thought it juſt to propoſe an open Paſſage for their Letters to *Norway*, as a Condition they did and would abſolutely ſtand upon, for Compenſation.

That he, M. *Oxenſtiern*, not liking of the Terms, they had no more to ſay, but only undertook to write again upon this Inſtance of mine to Court about it; and aſſured me, that they, the *Danes*, did come to the utmoſt Temperament they could, when he, M. *Heugh*, declared, that there ſhould be Liberty of Couriers to go once a Fortnight; whereas it was in their Orders but once a Month; the Memorial, he ſaid, that he had put into our Hands, to carry to the *Swedes* upon that Subject, being in all other Points the ſame to a Word with their Orders from Court, only the Orders were in *Daniſh*, and the Memorial in *Latin*, ſo that this Matter ſticks here; another Anſwer is to be expected from *Denmark*; this will take up a great deal of Time, nor is there any likelihood, as I ſee, that will be more favourable to our Negotiations here than the former was.

M. *Chriſtine*, in an ordinary Viſit he gave me on *Saturday*, took Occaſion to ſpeak of the ill Conditions the *Spaniſh Low-Countries* are in, and ſaid there was a ſad Fatality that attended every Thing that was done on the *Spaniſh* Side; wiſhing that a Ceſſation of Arms might be the firſt Thing ſettled, otherwiſe the little that is left them, may be wholly loſt, while we are treating here.

The Biſhop of *Gurck*, in a Converſation I had with him the ſame Day, ſeemed to conclude, that there is little Hopes of a Peace; his Reaſon was, that in *France* they have more and more Inclinations to purſue their Point, ſince they ſee every Day greater and greater Evidences of the Weakneſs of the Confederates; his only Hopes were, that *France* will have a juſt Reſpect for the King our Maſter, and comply with his Inſtances, becauſe of the great Force he is able to ſecond them with when he ſees Cauſe.

M. *Cannon* returned hither on *Wedneſday* laſt from the *Hague*, but was away from thence as far as *Amſterdam*, before his Highneſs the Prince's Arrival; ſo that the Complement of the Duke his Maſter was left to be performed, and has been ſince performed by Monſieur *Scrinchamp*.

L. Jenkins.

Nime-

Nimeguen, 13*th Decem.* 1677.

Right Honourable SIR,

MY laſt was of the 10*th*; ſince which, I have the Favour of yours of the 4*th* Current to acknowledge; by which I find, that his Majeſty hath been pleaſed to take the Buſineſs of Count *Antoine* into Conſideration once more; this being ſo, I think it is my Duty not to make any further Step in that Matter, till I have the Honour to know his Majeſty's further Pleaſure; my meaning is, that I ſhall not proceed further than we have done already (to declare to the Confederates, that we cannot appear at any Aſſembly where Count *Antoine* aſſiſts) yet, on the other Side, I ſhall be ſure not to appear at all among them, unleſs I have freſh Directions from his Majeſty to do it.

WHAT you are pleaſed to touch in your Letter, of the Parliament being adjourn'd to a nearer Day than that in *April*, is Matter of great Surprize and Diſcourſe here; the Letters of the 4*th* and thoſe of the 7*th*, to the ſeveral Miniſters here, coming to Hand yeſterday at one and the ſame Time; and the latter, it ſeems, enlarging by Way of Comment upon the former. The moſt diligent Enquirer that I have yet met with, of the Cauſe of the Parliament meeting ſo ſoon, has been *Don P. Ronquillo*, who favoured me with a Viſit laſt Night upon this Occaſion; but did not take upon me to give him any other Light, or Satisfaction, beſides that I have in the very Words of your Letter. He made it his great Enquiry to know, what Plan or Propoſition that was, my Lord of *Feverſham* carried into *France*; his laſt Advice from thence having been, that the Anſwer to my Lord of *Feverſham* was not ſuch as would ſatisfie his Majeſty; from the Diſcourſe of this Affair, he paſſed to another Subject; he did acknowledge and confeſs, that his Majeſty takes all the Care and Pains poſſible about the Affairs of *Spain*; and that he, for his Part, relies perfectly upon his Majeſties great Equity and Care of them; he wiſh'd heartily there was ſome Body near his Majeſty, that might have the Honour to lay before him, the great Concern that *Spain* may have in ſome certain Things, that are in themſelves but little.

HE told me, he came not to paſs any Office with me in Form, or from the Embaſſy upon that Subject, but that it was his Deſire, and he ſhould think it the greateſt Honour in the World to him, to have his Majeſty's Reflexions upon a few Thoughts of his of preſent Conſideration.

THE firſt was, that it is moſt neceſſary for *Spain*, that all Diſputes about Limits and Dependencies be determined and concluded with the general Treaty, ſo as nothing be left to after Diſputes: The huddling up of the laſt Treaties between them and *France*, having left behind them ſuch controverted Points, as the *French* would rather have made the Occaſion of a new War, if they had wanted other Pretexts, than yielded to that which was reaſonable; and as to the Matter of Limits, the Juriſdictions in the *Low-Countries* are ſo confounded, he ſaid, as to be of a larger Extent in ſome Reſpect, and of a narrower in other; that Diſputes cannot be avoided, unleſs the Limits be ſet out by Rivers and other Boundaries, that are very notorious, and have been conſtantly acknowledged for Boundaries Time out of Mind.

ANOTHER Thought of his was, that *Queſnoy* between the *Sambre* and the *Scheld*, St. *Venant* upon the *Lys*, and the *Chatelaine* of *Vuerne*, tho

tho' all three of little Conſequence for their Values, are in a Manner neceſſary, and will be of infinite Importance to them, in Regard of the Cover and Shelter they will afford them; and therefore that he moſt humbly deſired his Majeſty would be pleaſed to caſt an Eye upon them as they lie in the Maps; and that *Spain* may owe them, and the Benefit it will have by them, to his Majeſty, as a Part of that which *France* ſhall yield them at his Majeſty's Inſtance.

A *third* Thing is, that he doth with all humble Earneſtneſs imaginable, recommend *Burgundy* to his Majeſty's Protection, to preſerve it to the Crown of *Spain*; humbly deſiring that it may be conſidered, that if *Burgundy* ſhould be diſmembred from it, how much larger Territories the *Spaniards* will have need of in *Flanders*, than they are like to have reſtored them, before they can ſubſiſt, and be in any Way or Degree uſeful to their Neighbours, as 'tis hoped, he ſaid, they may be, if they are now preſerved from being over-run: Thus he diſcourſed, and afterwards deſired, that in Regard he knew of no body that was made acquainted with that Part of his Majeſty's Plan which is in Favour of *Spain*, or had offered any Thing in that Behalf, theſe few Thoughts of his might be repreſented to his Majeſty as from him, who, beſides the particular Veneration he hath for his Majeſty's Royal Perſon, hath ſo great Experience of his deep Judgment in all theſe Things, and of his particular Affection and Care of the King of *Spain*. I am, *&c.*

L. Jenkins.

Nimeguen, 17*th Dec.* 1677.

Right Honourable Sir,

SINCE my laſt, which was of the 13*th*, I have the Favour from you of a very large one of the 11*th* Current, and wholly upon the Buſineſs of Count *Antoine*; whereby it appears, you have taken a great deal of Pains to collect the Matters of Fact, in order to repreſent them the more clearly to his Majeſty. And his Majeſty's Royal Goodneſs and Patience can never ſufficiently be admired, to ſuffer this Thing to be ſo often brought before him.

It muſt be confeſs'd, that among the Facts there is no Account in our Diſpatches, of the very Day whereon we found Meſſieurs *de los Balbaſes* and *Petcum* firſt to appear in the Aſſembly: But in a little Diary that I have, there happens to be theſe Words, ſet down on *Thurſday* the 21*ſt* of *June* 1677. — *We were* (*at* 5) *at the Aſſembly of the Allies, we gave an Account of what Anſwer the* French *had given us about a ſpecial Power, and of our giving in the firſt Propoſition of the Duke of* Lorain; *there we ſaw M.* de los Balbaſes *and M.* Petcum *for the firſt Time.* — Theſe are the Words there.

But hence ariſes an Objection; you are pleaſed to fix the Arrival of M. *Petcum* two Days after, (that is, the 23*th* of *June*) out of our Diſpatches, and my Diary ſpeaks him preſent at the Aſſembly on the 21*ſt*. 'Tis true, that upon the 23*th* M. *Heugh* acquainted us with his being come to Town, but 'tis not ſet down in our Letter that he told us what Day he had arrived; M. *Heugh*'s Buſineſs being not ſo much to acquaint us of his coming to Town, which was beneath him, as to ſound us what kind of Treatment his Title of *Deputé Extraordinaire* was like to meet with, when he made us his Viſits. But I have ſome Cir-

Circumſtances yet freſh in my Memory, that do in a Manner aſſure me, I ſaw him at the Aſſembly before he gave me any Viſit.

ANOTHER Objection there is, that M. *de los Balbaſes* had notified his Arrival, and communicated his *Plenipouvoir*, before we ſaw him in the Aſſembly, and that cannot be denied; but to ſay nothing of that *Plenipouvoir*, or of that Notification, both being out of the Forms, if Count *Antoine* were wanting in nothing elſe, he is not behind M. *de los Balbaſes* in the Matter of communicating Powers; for Count *Antoine*'s *Plenipouvoir* was in due Form communicated to us in *April*, by his Collegue M. *Heugh*, and exchanged with the *French*; (there being but one and the ſame Inſtrument to them both) whereas the right Powers of M. *de los Balbaſes*, were not communicated till the 25*th* of *July*, upon which Day they were produced alſo for M. *Chriſtine*; and of this there is a Touch in my Diſpatch of the 26*th*, tho' 'tis not ſaid they were (as in Fact they are) but one Inſtrument for M. *Chriſtine* and his two Collegues.

YOU are pleaſed to take Notice, SIR, that the great Argument that the *Dane* is like to urge againſt us, will be from M. *Balbaſes* and *Petcum*'s (at leaſtwiſe M. *Chriſtine*'s) aſſiſting in the Aſſemblies before they notified us. I have, I muſt confeſs, thought it deſerved an Anſwer, becauſe Precedents are here, and in all ſuch Caſes, a great Argument; but it is not that which troubles me, for if there were nothing elſe in the Caſe, it would be ſufficient to ſay, that no Queſtion, ſuch as now is, having been moved in M. *Chriſtine*'s Caſe, there was not the ſame Cauſe to except to his aſſiſting at ſuch Meetings, as there is now in Count *Antoine*'s.

THAT which to my Apprehenſion is hardeſt to anſwer, is not any Thing that Count *Antoine* can ſay or pretend, but that which the reſt of the Confederates (nay, all the Parties here) may ſay, for their own Intereſt, as they lie intangled with this Affair; for it ſeems to me obvious, that all the Parties may alledge for themſelves, *Firſt*, That they are not behind-hand, but have in their ſeveral Turns performed what is now demanded of Count *Antoine*; and therefore that his Majeſty's Reſentments againſt him, are not intended to reach them, as it will do, to their Prejudice, in caſe the Offices of his Majeſty's Mediation do ceaſe becauſe of Count *Antoine*.

2 *dly*, THAT the Confederates may alledge, it is not in their Power to bring Count *Antoine* to do that which he now demurs upon, much leſs to get him to withdraw himſelf out of a Houſe, where he is as much at Home as any of them is; nor to abſent himſelf from thoſe regular Meetings, at which not only the Buſineſs that the Mediators now and then come upon is treated, but all other Sorts of Matters that occur, and wherein any, or all the Confederates have an Intereſt.

3 *dly*, THAT each Party in the War hath an equal Right to the Benefit of his Majeſty's Mediation, ſtipulated to himſelf (when the Mediation was offered and accepted) ſingly and ſeparately from the reſt of his Co-Allies, and that therefore it would be hard, that when there is but one among them who offends, all the other (as well the Confederates as the adverſe Parties) ſhould want that Benefit, and conſequently ſuffer Prejudice. The Caſe, as I take it, would be ſo, if there were any Thing to be treated in the Aſſembly between the *French* and the *Hollander*, or the *Swede* and the *Brandenburgher*, who have no Mediator between them but his Majeſty; and theſe laſt would be more at a Loſs, in Regard they would hardly frame themſelves to come to the Expedient of treating Face to Face.

THIS,

THIS, I confeſs, looks to me as obvious to be objected againſt us; nor have I ſo good an Anſwer as I could wiſh, in caſe it ſhould be ſo; but I ſhould not preſume to mention it, tho' I do it with all the Submiſſion poſſible, but that I perceive by your laſt, his Majeſty ſtill continues to give a gracious Hearing to what is ſaid, out of his Tenderneſs to this Aſſembly, tho' nothing that hath been yet offered, hath moved his Majeſty to come to any Change in his firſt Reſolution.

ON *Friday* was with me a Gentleman that had a Commiſſion from the Duke of *Mecklenburgh-Swerin*, to appear in this Aſſembly as Subſtitute to M. *Muller*, the Miniſter of the Duke of *Lunenburgh-Zell*, to whom the Care of the Affairs of the Duke of *Mecklenburgh* is committed, as he ſays.

HE produced an open Writing under the Duke's Hand and Zeal, addreſſed to his Majeſty's Embaſſy here; but I finding there was an Error in the Stile, which was *Illuſtribus & Generoſiſſimis*, excuſed myſelf from receiving it from him, till it were mended, acquainting him what Stile the Electors and other Princes of *Germany* are pleaſed to treat us with.

HAVING known that he had been in Town for ſome while, I let him know the Reſpect that was due to his Majeſty's Mediation, to have the firſt Application made by all Miniſters to it, preferably to all other Embaſſies whatſoever. He told me, upon the Faith of a Gentleman, he had made his Applications to none other, nor yet viſited or ſeen any Ambaſſador or Miniſter whatſoever in Town, ſince he received that Commiſſion, which was come but a very few Days before into his Hands, upon Notice, it ſeems, that the Duke had, that M. *Muller* was like to ſtay at the *Hague* for ſome Time.

HIS Buſineſs here is, to move for Reparation for the Damages and Ruins that that Duke hath ſuſtained by this War: I acquainted him with the preliminary Difficulty that would lie in his Way, how no Party is yet entered into the Treaty, but ſuch as are either Principals or Allies; therefore thoſe from whom he was likely to pretend Reparation, (as he named the *French* and *Swedes*) would in all Likelihood oppoſe his Entry into the Treaty, as being no Party to the War. This he was convinced would be the Caſe, and therefore would take Time to conſider on it. I therefore ſubmit to you, what Directions are proper for us in this Caſe againſt M. *Muller* comes, or this Gentleman produces a Power in good Form.

ON *Saturday* giving M. *de los Balbaſes* a Viſit, he let himſelf very gentelely into a Complement, that the Mediators did not ſet the Parties here on Work; but that which I perceived he had a Mind to be at, and to complain of was, that there are ſo many Journeys made to *Paris* upon a Project for the Peace, and not a Word ſaid to them, the Ambaſſadors here, or to any of the *Spaniſh* Miniſters, all this while; harping upon the ſame Things that I have given you ſome Account of in my laſt from *Don P. Ronquillo*; and concluding, that in a Buſineſs of this Nature, there are many Things that may be overlook'd, as thought to be of no great Conſequence, which the Miniſters of the Crown of *Spain*, if they were heard upon them, would make appear otherwiſe.

MY Anſwer was general; that I had not heard his Majeſty had any Communication upon theſe Particulars with the Miniſters that are in his Court, of the one Side or of the other: And as for overlooking Things, his Majeſty's Applications were ſuch, that I thought all Parties were ſufficiently ſatisfied of his Care, as well as of his Zeal.

He imputes it to the Prince of *Orange*'s Stay in *England*, that the *Dutch* Ships are not yet gone for the *Straits*; but I found M. *Blaſpiel*, in a Viſit he had given me the Night before, to impute it wholly to the *Spaniards*, who being to bear two thirds of the Charges, had not furniſhed their Quota; whereas the Admiralties have long ſince furniſhed theirs; and the Province of *Holland*, out of Regard to their Trade, had advanced 100,000 Crowns over and above their Proportion, that the Preparations might go on with greater Vigour.

Just as I had gone thus far, and was ready to cloſe, the *French* Ambaſſadors take an Hour of me, and tell me, that having written to know, whether the King their Maſter would be diſpoſed to prorogue the Neutrality that was agreed in *May* laſt, for the Fiſhing between him and the *Dutch*; the Anſwer was, that he could by no Means depart from the Revocation he had made of his Ordinance, but that he intends it ſhall abſolutely ceaſe and determine the 1*ſt* of *January* next; whereof I am going out of Hand to adviſe M. *de Haren*, that he may, by this Poſt, ſend Word to the States, of what is to be expected in that Affair. M. *Colbert*, when this was over, and when they were riſing, began to tell me, but very pleaſantly, that they expect better News out of *England* than that which the Allies publiſh here, who make ſo full an Account of a Breach between *England* and *France*, that they already look about them for new Mediators. I am, *&c.*

L. Jenkins.

Nimeguen, 20th Dec. 1677.

Right Honourable Sir,

My laſt was of the 17*th*, ſince which I have none from you to acknowledge.

On *Monday* was with me M. *Ulken*, (the ſame, I perceive, that was formerly in *England* from the Duke of *Holſtein*) he came to Town but on *Saturday* late at Night, and brought me a Letter from the Duke, a Copy whereof goes herewith incloſed. He enlarged very much upon the calamitous State of that Duke, and how he will be without Remedy, unleſs he be admitted to this Treaty: He told me, that within few Days he and his Collegue (who hath been now about 12 Months in Town) would bring me their Powers in Form, and their Propoſitions, for the reſtoring and indemnifying of the Duke their Maſter.

I laid before him the preliminary Difficulty he was like to meet with, in that the Duke is neither Party Principal, or Ally in the War, and that none of a Neuter Condition have been yet admitted.

His Anſwer was, that if he might not be admitted as a Neuter Prince, having a peculiar Intereſt veſted in him in the Treaties of the *North*, he muſt declare himſelf an Ally to *Sweden*, or elſe to *France*.

I obſerved to him, that if his Maſter ſhould declare himſelf an Ally to either of thoſe Crowns, and yet decline all Part in this War, he would be in the ſame Difficulty that the Biſhop of *Strasburgh* now is; and, on the other Side, if the Duke ſhould declare himſelf ſuch an Ally as partakes with *Sweden* in the War, then the King of *Denmark* would be, for ought I knew, at Liberty to treat his Country, and poſſeſs it as that of an Enemy: Therefore that the declaring of ſuch an Alliance would be a Step of vaſt Conſequence; deſiring him withal (as I did) to repreſent this Apprehenſion of mine fully to the Duke.

He

He ſeemed to me reſolved upon the Point, and to expect I ſhould paſs my Offices towards the *Dane*, as ſoon as he and his Collegue ſhould bring me their Papers; and that if upon thoſe Papers, wherein there is to be no Mention of any Alliance, he be not admitted, then to declare his Alliance, and to demand, as of Right, his Admiſſion.

His Majeſty having taken the Pains to put the Difficulties to the *Holſtein* Miniſter on that Side, (as appears by your Diſpatch of the *26th* of *October* laſt) I expect when they come together to me, to hear from them what Reflexions the Duke has made, and what Reſolutions he has taken upon the preliminary Queſtions, as they were put to his Miniſter by his Majeſty himſelf; and ſhall, when I find their Anſwer to be clear and uniform, get ſo much Time as to repreſent it, by your Favour, with all Humility, to his Majeſty: For the Step of declaring the Duke to be an Ally to *Sweden*, ſeems to me of dangerous Conſequence to him; and to that this Gentleman made no other Anſwer to me, but that no Hoſtility of *Denmark* can put the Duke into a worſe Condition than he is; but his Deſire that he may enter as a Neuter Prince having Intereſt, is that which the whole Alliance will oppoſe, there being no Party among them but hath ſome Neuter Prince or other in their Eye, and they watch againſt the coming of ſuch into the Treaty, as fearing their particular Pretenſion upon them.

On *Tueſday* M. *Spanheim* was to acquaint me, that his Highneſs the Elector *Palatine*'s Buſineſs with the *Imperial* Ambaſſadors ſtuck ſtill where it did; and that, to his ſeeming, thoſe Ambaſſadors are willing to put off, for ſome Time at leaſt, the advancing of any Propoſition for the Elector.

He told me, all the Parts of *Germany* have been in great Fear, leaſt a Ceſſation of Arms ſhould take Place, as they had been told was intended over all the *Low-Countries*, this Side of the *Meuſe* to the Sea; but now they are in ſome Meaſure out of that Pain.

He ſays, a Miniſter from one or more of the Princes of the Houſe of *Brunſwick*, coming to the Dyet at *Ratisbone*, ſent his Powers by a Secretary to the Chancellary there: He that has the Direction of it for the Elector of *Mentz*, ſent the Miniſter Word, that was not the Stile; and that he himſelf in Perſon ſhould have preſented his Powers: This the Miniſter refuſeth to do, tho' the *Imperial* Commiſſioner (the Biſhop of *Aich-ſtadts*) hath labour'd all he can to bring him to it; ſo that that Dyet hath been at a Stand this *6* Weeks upon this Occaſion. His Conjecture is, that this Miniſter goes out of the ordinary Form, that he might balk the rendring of the uſual Deference to the Electoral Dignity.

There is a Miniſter likewiſe lately arrived at *Vienna* from that Houſe; his Buſineſs is to ſollicit, that the Emperor would order his Ambaſſadors here at *Nimeguen*, to give the Ambaſſadors of the Princes of the Houſe of *Brunſwick*, (for it ſeems they intend to ſend ſome with that Character hither) the ſame Treatment that the *Brandenburghers* have; ſo that that Queſtion is like to be ſet on Foot again.

Yesterday was with me a Gentleman from the Prince of *Ligne*, who deſires his Majeſty's Interpoſition in the Prince his Maſter's Behalf; that a Settlement of ſome Lands and Seigneuries, that had been made between him and the Prince *d'Eſpinois*, when the long Truce was made in 1609, between the King of *Spain* and the United Provinces, may be declared to ſtand good, and in its full Vigour, by this Treaty; according to the final Agreement then made by King *James* of Bleſſed Memory, and King *Henry* IV. who were the Mediators, and, as it were,

their Guarranty: In the Year 1660, the *French* Intendant *Pelletier*, put the Prince of *Ligne* out of Poſſeſſion of ſome of thoſe Lands and Seigneuries after 60 Years quiet Enjoyment; and he hath been out ever ſince, by Reaſon of this War; his Deſire is, that he may be reſtored to what the Treaty of 1609 hath given him, and that his Majeſty would ſupport him with his Protection; having ſpoken to me firſt of this Buſineſs on *Sunday*, he left with me yeſterday the Memorial encloſed of it.

Last Night was with me M. *Heugh*, to tell me, that he had repreſented what Mr. *Hyde* and my ſelf had ſeverally intimated to him, touching M. *Gioe*'s Unacceptableneſs at Court; the Letters of yeſterday brought him the Anſwer of the King his Maſter upon that Point; which was, that the King of *Denmark* did declare his Readineſs to comply in the removing of him out of *England*, and that he underſtood *à demy mot*, what was proper for him to do, as he found the Caſe to ſtand; that he had therefore bethought himſelf, and reſolv'd to diſpoſe of him otherwhere; for that beſides his Deſire, to give all Manner of Satisfaction to his Majeſty in any Thing that is in his Power, he knows, that if M. *Gioe*'s Conduct at the Court of *England* be not grateful to the King our Maſter, the continuing of him cannot but be diſadvantageous to the Affairs of *Denmark*. Only he deſires a little Time to do it, that his Removal may be gently, and as it were inſenſibly; he added, that the King of *Denmark* will do his beſt, and doubts not, but that the next that comes into M. *Gioe*'s Place, will be ſuch as his Majeſty will have no Cauſe to be diſſatisfied with. M. *Heugh* conceives he will be removed into *Spain*, the *Daniſh* Miniſter there being to be call'd Home, and intended to be of the Privy Council.

L. Jenkins.

Nimeguen, 24*th Decem.* 1677.

Right Honourable Sir,

It is very ſad News that I find in yours of the 14*th*, (which came very late laſt Night to my Hands) of our having loſt the Duke of *Cambridge*; and I cannot but have a deep Senſe of Grief in it, ſuitable to my particular Duty and the publick Occaſion: I beſeech God to repair that Loſs to their Majeſties and Royal Highneſſes in his good Time, and in the mean while, to ſupport them with the choiceſt of his Comforts and Bleſſings.

That which I have to add, to that I troubled you with in my laſt of the 20*th*, is no more, but M. *de los Balbaſes* favouring me with a Viſit on *Saturday*, was inquiſitive to learn of me, what I knew of the Plan for the Peace, particularly, whether it was calculated for all the Parties in War? And whether the *French* Ambaſſadors here had any Account from *Paris* of my Lord of *Feverſham*'s Negotiation there? Finding how unable I was to ſatisfie him in any of theſe Queſtions, he entred into a Diſcourſe of the great Preparations of the *French* in *Flanders*; he ſaid, the Prince of *Orange* had offered the Duke *de Villa Hermoſa* four Regiments of the *Holland-Infantry* to go into *Namur*; that he had accepted of them; and that according to his Advices, they muſt have been got thither by *Thurſday* or *Friday* laſt at furtheſt; but he ſaid, he had a Letter from a Friend, (not from the Governour of *Flanders* himſelf) in which it was ſaid and thought, the *French* had an

Eye

Eye upon *Newport*, and would ſuddenly attempt ſome brisk Thing upon it, in Regard of the Poſture that *England* is like to be in 'ere long. He did ſeem to be of Opinion, that the War will be carried into the *Milanois* this Campaign; his Reaſon was, that the *French* can do no great Matters there, unleſs they have a compleat Army; which he thinks they cannot have, and withal furniſh for *Germany* and *Flanders* beſides.

YESTERDAY the Marſhal *d'Eſtrades* ſent me a Paſſport (as I had lately deſired one of the *French* Ambaſſadors) for the Deputies of *Liege*, the Copy of it goes herewith; you'll find in it the uſual Mention made of his Majeſty's Mediation.

I hear no more from the Confederates of the Paſſports on their Parts, than that the *Imperialiſts*, after I had paſſed my Offices with them, moved them at a Meeting not to do any Thing in it, till they ſhould be able to acquaint the Court of *Vienna*, and know its Reſolution upon this Demand for the *Ligeois*.

WE ſhall endeavour to ſend you with the ſooneſt, Copies of as many of the new reformed Powers, as have yet paſſed our Hands here.

L. Jenkins.

Nimeguen, 27th Decem. 1677.

Right Honourable SIR,

THESE Holidays have not yet afforded any Thing worth the adding to the Trouble I gave you by my laſt, which was of the *24th*; I then acknowledged the Favour of yours of the *14th* Current, which is the laſt come to Hand; and have no more at this Time, but to aſſure you of my being always, *&c.*

L. Jenkins.

Nimeguen, 31ſt Decem. 1677.

Right Honourable SIR,

SINCE my laſt, which was of the *27th*, I have the Favour of two of yours (one of the *21ſt*, the other of the *25th*) to acknowledge; and in both of them your Care of us, in the Diſpute between us and Count *Antoine*.

I hope there has nothing fallen from us on this Side, that ſhould make you ſuſpect we are otherwiſe than moſt firm in the firſt Part of the Queſtion; I mean, that Count *Antoine* ſhould pay to his Majeſty the firſt Reſpect, before the *Imperialiſt*, and in the very ſame Manner that others have done it. Our only Difficulty is, how we ſhall refuſe to appear in the Aſſemblies of the Allies, becauſe of his being preſent; and alſo how we can denounce it to them, as his Majeſty ſtands now engaged the General Mediator.

THE Matter of Fact which I find is new to you, and that you ſeem to think not unlikely to be huddled in, is thus far certain; on the *24th* of *April* laſt, we did communicate the Powers between the *French* and the *Dane*, (I have a little Note of that Day on which it was done) by my Lord *Berkley*'s Secretary, and Sir *William Temple*'s; and we ſend you by this ordinary, a Tranſcript of that very Copy that was then given in, and was intended by M. *Heugh* to lie by us, as a Duplicate

plicate of that we were to leave with the *French*, atteſted by the Secretary of his Majeſty's Embaſſy, and as a Copy of that Original which M. *Heugh* was to receive again, after it had been exhibited to the adverſe Party the *French:* You will find in this Tranſcript, Count *Antoine* expreſly named, as Ambaſſador and Plenipotentiary in the firſt Place.

I ſhall very readily acknowledge, we ſhould have ſent a Copy of thoſe Powers; but we went, it ſeems, upon a miſtaken Ground; we ſent you the firſt Powers that the *Dane* and alſo the other Parties brought with them from Home; and then when a common Formulary was agreed, we ſent you that Formulary, and the Act obligatory for the procuring of it within two Month's Time, in the very ſame Words it had been agreed, and that in the due Forms of the ſeveral Courts. When thoſe new Originals came to Hand, and we found them to agree with the reſpective Formularies lying by us, under the Hand of the reſpective Miniſters, we were not ſo careful as to ſend Duplicates of theſe new Originals, ſince we found them to agree perfectly (as I may ſay to a Syllable) with the Formularies firſt depoſited in our Hands.

Upon this whole Matter, this we took to be certain, that M. *Heugh* having deſired us to paſs our Offices towards the *French* Ambaſſadors upon an Original and a Copy wherein Count *Antoine* was named firſt in that Embaſſy, as he is in the Tranſcript that goes herewith; ſuppoſing Count *Antoine* had paid the Reſpect due to his Majeſty's Ambaſſadors at any Time ſince, neither the *French* Ambaſſadors (the *Swedes* do not come into this Caſe, as having not exchanged with the *Danes* or any Body elſe) nor we would have any Pretence to demand a Sight of his Powers, either upon his appearing in the Aſſembly, his notifying us of his Arrival, or upon any other Occaſion; for when an Inſtrument of this Kind is exhibited for one of thoſe that are Parties to it, and he be received and acknowledged, the others, tho' abſent, are ſufficiently legitimated; unleſs there do ariſe a Queſtion, whether they be the ſame Perſons intended in the Inſtrument or not; which is no Part of this Caſe.

On *Friday* Morning, I paſſed an Office at M. *Beverning*'s Requeſt, with the *French* Ambaſſadors, in Behalf of the *Dutch* Priſoners taken at the Fight at *Mont Caſſel*, that they may be ſet at Liberty upon a Cartel agreed in *May* 1675, between the Marſhal *d'Eſtrades* and M. *Peſters*, in Behalf of the States General, that Cartel I hope to ſend you as ſoon as I can get it tranſcrib'd, they undertook to write that Day to *France* about it. M. *Colbert* thought it not ſo proper for them to intermeddle in ſuch Matters, that are meerly of War; M. *de Louvoys* having, he ſaid, Power to execute the King's Order in ſuch Affairs, without rendring an Account to any others of what he does: M. *d'Eſtrades* and *d'Avaux* called to mind ſome Diſpleaſures that the Moſt Chriſtian King had conceived upon the defaming of ſome Officers that were *de la maiſon du Roy* Priſoners for ſome Time, and with ſome Harſhneſs, being taken at the Fight at *Mont Caſſel*, this M. *Beverning* told me, might be Part of the Caſe, and that his Highneſs the Prince of *Orange*, for Want of Information in due Time, may not have done that which is pretended in Favour of ſuch Priſoners.

He told me of another Thing that would be objected; which was, that the Cartel for the Ranſom and Exchange of Priſoners, was not underſtood by the *French*, of Priſoners taken in *bataille rangée*; but as there is no ſuch Diſtinction in the Treaty, ſo the *French* Ambaſſadors did

did not hint that Difficulty to me; but, on the contrary, M. *d'Eſtrades* promiſed to write earneſtly about it to M. *de Louvoy*.

M. *Colbert* being ill with the Gout, this gave me the Opportunity of a particular Converſation with him, not only upon this, but upon the Affairs of the Treaty in general. He told me, that M. *Barillon* does not find on that Side the Affairs ſo deſperate as the Allies repreſent them here. He let himſelf into a Diſcourſe of the preſent ill Condition of the *Swedes*, without any Thing leading him to it; ſaying, he knew not whether they, the *Swedes*, would leave them, the *French*, or not; but the King his Maſter could not in Honour leave them, the *Swedes*; yet it would be very hard to ask of him to reſtore Places for the Eſtabliſhment of the *Swedes*, ſince *France* hath no Place but hath coſt him exceedingly dear; being forced into a War that the *Spaniards* declared againſt them. That Mr. *Montague* had had ſeveral Conferences with the Moſt Chriſtian King and his Miniſters, namely with M. *de Louvoy*; and that little Satisfaction appeared in the Countenances of any of them at their parting; that his (M. *Colbert*'s) Brother, M. *Moulevrier* writes him Word, it is the general Diſcourſe at that Court, there will be a Breach with *England*.

M. *Cannon* being with me for his Condolances of the Duke of *Cambridge* on *Friday*, told me, he was even overjoyed with the Senſe his Majeſty is pleaſed to entertain of the Duke of *Lorain*'s Sufferings; for it ſeems that his Highneſs the Prince of *Orange* hath, ſince his Return, aſſured M. *Serinchamp* at the *Hague*, that his Majeſty's Care and Protection for that Duke, goes infinitely beyond all the Sollicitations that he the Prince could, or any other, make to him in that Behalf.

The ſame Day M. *Chriſtine*, in a Viſit he gave me, ſeem'd to rejoyce very much, that the Courier of the Day before from *Flanders*, did not bring them the News of any Place beſieged; he ſaid, that the Succeſſes and Progreſſes of the *French*, put him into a Fear for any Place that they ſhould ſet themſelves to beſiege; but that which troubled him moſt was, he ſaid, the Apprehenſion of a Revolt in the great Towns, where no Garriſon is capable to ballance or overawe the Multitude, if they ſhould fancy to preſerve themſelves that Way. He gave an Inſtance, how little a Garriſon (tho' never ſo great and vigorous) ſhould be able to do in *Ghent*, where there are 200,000 Souls, and in *Bruſſels*, where there are 100,000 fighting Men.

On *Saturday Don P. Ronquillo* favoured me with a Viſit, and expreſſed a great Joy, that his Majeſty hath ordered the Recruits of our Officers that ſerve in *France* to be ſtopt. He had been told, he ſaid, but 3 or 4 Hours before, there was a Perſon in this Town, that hath been in *England*, in the Name and Behalf of the Malecontents in *Hungary*, to deſire his Majeſty to interpoſe in their Behalf for Liberty of Conſcience, *&c.* and ſaid upon his own Knowledge, his Majeſty would be very well heard, and his Offices well accepted in that Affair, if he ſhould pleaſe to intercede in it with the Emperor.

I did yeſterday make the beſt Enquiry I was able, whether there had been any ſuch Perſon in this Town, but I do not find it was any other, but one of the *Hungarian* Miniſters, that was lately here in his Return out of *England*.

Don Pedro likewiſe told me, that if *Namur* had been beſieged 8 or 10 Days ago, the *French* would have certainly carried it, but now it has 6000 Men in it: And that *Spain* makes a very great Proviſion toward this following Campaign; for the laſt Advices from *Madrid* tell them,

them, the *Imperial* Ambaſſador hath Bills for 500,000 Crowns put into his Hands, beſides the 100,000 Crowns he hath already received.

THE Biſhop of *Gurck*, in a Viſit I gave him on *Saturday*, ſeem'd to think we have no great Hopes of a Peace at this Time, tho' the Emperor his Maſter be in the fulleſt Diſpoſition poſſible towards it; for beſides that, he thinks the conquering Humour to be moſt prevailing in the *French* Councils; he thinks the mending Hand that the *Spaniſh* Monarchy would be upon, provided it have a little Reſpite of Peace, is at this Time a Temptation to run it down.

HEREWITH incloſed go the Powers of the *Holſtein* Miniſters, and their Propoſition likewiſe; for the Propoſition, as they had framed it at firſt, was very offenſive in Point of ſharp Language; but upon two or three *Reprizes* that I have had with them about it, it was reduced to the Form you now find it in.

THEIR Deſire is, that I would paſs my Offices upon theſe two Papers, in order to procure them Admiſſion into theſe Treaties, as the Miniſters of a Neuter Prince, that bears no Part but that which is perfectly paſſive in the War; and they would ſee the Succeſs of that Demand, before they proceed further to declare their Maſter to be in Alliance with any of the Parties in War.

YOU will find by their Propoſition, that they would be reſtored to the Benefit that is veſted in their Maſter by the Treaties of *Rochield* and *Copenhaguen*, and that they would have all that the Duke was forced, as they ſay, to agree at *Renſburg*, to be aboliſh'd; beſides, they would have their Maſter reimburſed of his Damages, and his Indemnity ſecured for the future.

I moſt humbly beg the Honour of his Majeſty's Directions in this Point; whether it be his Pleaſure that I do paſs Offices upon the Powers and the Papers as they go here incloſed; the Admiſſion of theſe Parties into the Treaty, will be probably oppoſed, as the Biſhop of *Strasburgh* is; they not declaring themſelves in Alliance with any of the Parties in War, as that Biſhop does; and who ſtands fairer by the common Agreement to his being admitted here, than they do? On the other Side, if the Duke of *Holſtein* be not admitted as a Party to that which concerns himſelf and his Houſe in the *Northern* Treaties, he will go near to loſe the very Foundation of his Sovereignty and Independency in *Sleſwyck*; which, for ought I perceive, is the main Thing contended for: I muſt confeſs I have neither ſeen nor heard what the *Dane* can ſay in that Point; but I have ſeen two or three Prints in the Duke of *Holſtein*'s Behalf, that ſeem to make his Caſe exceeding ſtrong, and do well deſerve an Anſwer. However, ſince his Majeſty is engaged to do the Office of a Peacemaker between them, if it could be done in the General Peace, the Agreement would, in all Probability, be the more laſting. I am, *&c.*

L. Jenkins.

Nimeguen, 3d Jan. 1677-8.

Right Honourable SIR,

SINCE my laſt, which was of the 31*ſt* paſt, I have none from you to acknowledge.

M. *d'Eſtrades* and *d'Avaux* did on *Monday* in the Evening deſire me to paſs my Offices with the *Spaniſh* Ambaſſadors, in the Behalf of the Prince

Prince of *Conde* and his Son the Duke of *Anguien*, for certain Arrears they pretend to be due to them from the Crown of *Spain*.

THEY told me, they were ordered by the King their Maſter to make this Inſtance to the Mediation in his Name; but that M. *de Carriers* (and not they) was charged with the Detail of their Pretenſions, and that it was from him I was to receive the Information. Laſt Night he was with me, and gave me two Memorials, the Copies whereof go herewith incloſed.

THE one Memorial is for the Prince of *Conde*, who having one Million, ſix hundred, and ſixty four thouſand Crowns, ſtipulated to him by the Treaty of the *Pyrenees* from the King of *Spain*, upon ſeveral Accounts, does now demand, partly in Arrear, and partly for Intereſt incurr'd, the Sum of five hundred and twenty three thouſand, two hundred ſeventy one Crowns; thus much being behind at this Time.

THE Duke of *Anguien*'s Pretenſion is, the Sum of three hundred thouſand Pounds, or thereabouts; this is a very old Debt, laid by King *Philip* II. of *Spain* in the Year 1556, upon the Revenue of the Crown of *Naples*; it was for Money lent him by a Queen of *Poland*, Wife to *Sigiſmond* I. her Right became devolved by ſeveral Succeſſions to the late King *Caſimir* of *Poland*, and his Right is now veſted in the Duke and Dutcheſs of *Anguien*.

OF this M. *Carriers* hath given in no Memorial ſigned, nor any Demand or Calculation in Form, but a *memoire volant* (as he calls it) in order to affect the *Spaniard* with this Demand at the ſame Time with the other, reſerving to himſelf to make his Demand liquid in a ſhort Time; for King *Caſimir* having by Aſſignation paſs'd over ſome Part of this Right to the preſent Duke of *Newburgh*, as he paſs'd that Way in the Year 1669, and the Duke of *Anguien* not being yet preciſely informed how much it was, (whether a half Part, or one third Part) M. *de Carriers* is not particularly enough inſtructed how much remains undiſpoſed of, and conſequently due to the Duke and Dutcheſs of *Anguien*. Theſe two Papers I intend to paſs my Offices upon this Day as ſoon as the Poſt is gone.

ON *Tueſday*, M. *Termulen* (the 2*d* of the three Miniſters of *Munſter* that you and I have ſeen at *Cologn*) called upon me, as he was going in ſome Haſt to the *Hague*, the Emperor having writ, he ſaid, to the Biſhop his Maſter, to deſire him to ſend a Miniſter to aſſiſt at a Conference there is to be of the Allies, and to begin on *Saturday* next at the *Hague*. He thinks he may have a Commiſſion in a ſhort Time, to come as Plenipotentiary hither, but not till he has return'd to his Maſter, to give him an Account of his Negotiation at the *Hague*.

YESTERDAY, in a Viſit I gave M. *Beverning*, we diſcourſed over what I told you in one of my laſt, of the Intentions of the *French* to leave this Place; as alſo of a Report that goes up and down here, that the Allies have lately had the Point of leaving this Place in Debate, and paſſed a Reſolution to leave it, in caſe of a Rupture between *England* and *France*; he had not, he ſaid, aſſiſted at the laſt two or three Conferences of the Allies, but cannot believe the Report to be other than groundleſs; for he aſſures himſelf, that if there had been any ſuch Debate or Queſtion moved, ſome of the Allies would have given him a Hint of it. And for the *French*, he ſays, tho' it be true ſuch Words have been let fall, as I told you of in one of my laſt, yet he begins now to think (having had Diſcourſe ſo late as yeſterday with them himſelf) that there is no ſuch Thing yet reſolved; for as he does not, ſo he finds they do not think it impoſſible, but that we may come to a Peace, and

very ſuddenly to. He thinks that *France* and the Houſe of *Brunſwick* are at this Time entered into ſome Meaſures together, but does not yet know the Particulars. He ſays the *Spaniards* are in the beſt Diſpoſition in the World at this Time to make a Peace, for they are ſenſible how little they are able to do; and 'tis a Shame, he ſaid, to think how near *Namur* was to be loſt, before the Prince ſent thoſe Regiments into it. As for *Ipres*, he gives it for gone, and it will be well if *Newport* too have not the ſame Fate. I am, *&c.*

L. Jenkins.

Nimeguen, 7th Jan. 1677-8.

Right Honourable Sir,

SINCE my laſt of the 3*d*, I have the Favour of yours of the 29*th* paſt, for which I moſt humbly thank you, and particularly for the incloſed Speech, which certainly is extraordinary in its kind; I will try if I can get hold of the Thread of that Affair, as it has been ſpun from the Beginning, and ſhall not fail to give you Part of all that comes in my Way.

I told you a good while ſince, how the *Spaniſh* Secretary had promiſed fair for the Stilary of their Court with the Emperor, and how he hath ſince excuſed himſelf very unexpectedly: What the *Swediſh* Secretary hath promiſed, he will, I hope, make good; but he hath been of late not well.

On *Thurſday* I performed my Offices with the *Spaniſh* Ambaſſadors, upon the two Memorials I ſent you in my laſt; to that touching the Prince of *Conde*, they ſaid, it was their Wiſh he might have all Satisfaction, he having formerly done Service to the Crown of *Spain*; but that the Memorial being Matter of Account and Calculation, they muſt deſire Time to ſend it to their Court, that it may be examined by the proper Officers.

The Duke of *Anguien*'s Buſineſs, they ſaid, was much more intricate, and there had been Law-Suits long depending about it, in the Soveraign Court at *Naples*; whither the King of *Spain* muſt ſend all Pretenders to make out their Right, the Payment of the Money having been long ſince aſſigned upon certain Revenues in that Kingdom. Thoſe that have already laid Claim to this Money, are the Republick of *Poland*, the Duke of *Newburgh*, the Duke of *Hanover*, and the preſent Queen Dowager of *Poland*; and the Marquiſs *de los Balbaſes*, while Ambaſſador at *Vienna*, and *Don P. Ronquillo*, while he was in *Poland*, did do what they were able to further the Pretenſions of that Queen at *Madrid*, but without Effect, in Regard of the Oppoſition of ſo many Parties; they thought the Duke of *Anguien* would meet with no leſs Oppoſition; however, they would not fail to repreſent his Pretenſion to the Court.

Next Morning I gave an Account of this to M. *d'Eſtrades*, who liked the Civility of this Anſwer, and to M. *Carriers* in the Afternoon; both of them agreeing, that it was Reaſon the *Spaniards* ſhould have Time to write to their Court, and that that was the Reaſon the Prince of *Conde* moved in it thus early, that the *Spaniards* might have Time enough to adviſe with their Court.

On *Friday* M. *Petcum* was with me, being returned the Day before from the *Hague*; his News was, that thoſe of the beſt Judgment there, were in Hopes that his Majeſty would 'ere long make the Peace; that the

the Biſhop of *Munſter* had promiſed his Maſter 10,000 Men; and that there is a Probability that *Stralſund*, upon the Offers which the Emperor makes, (to declare it a free *Imperial* Town) may throw out the *Swedes*; that the King of *Denmark* pretends to nothing but the Iſle of *Rugen* on that Side, to the End he may live in good Neighbourhood with the Elector of *Brandenburgh*.

On *Saturday* M. *Cannon*, the *Lorain* Miniſter, told me, what a Concern he was in, upon a Report that had been in Town two or three Days, that *France* hath propoſed to the King our Maſter, to reſtore the two Dutchies of *Lorain* and *Barre*, the Town of *Nancy* excepted, which the Moſt Chriſtian King pretends to keep to himſelf; but in lieu of it, to give to the Duke as good a Thing, or better; the City of *Toule* being named for the Exchange.

It was therefore his moſt humble Deſire it might be repreſented to his Majeſty, that the Duke of *Lorain* will have all the need imaginable of his Favour and Protection in ſo great a Streight; and as ſoon as he hears of it, he will be conſtrained to trouble his Majeſty, ſince the Buſineſs ſo nighly imports him. It would be very hard, he ſaid, that a Prince that has never been in his Eſtates, (as the Duke has not) ſhould be forced to change a Place ſo conſiderable as the Capital Town of all, before he ſee it, or know the Value of it, or of that which is offered in lieu of it.

Besides, it is the Place where moſt of the Princes of that Houſe have had their Birth in; it is a Place, that has in a Manner all the People of Quality of that Country, and where the Duke has a Houſe to live in; and beſides that which he has in *Nancy*, he has not one Houſe in all his Dominions that is left ſtanding, of 30 or 40 that his Predeceſſor had in good Order before his Troubles: The Town of *Nancy* is a Place well fortified; it hath 17 Royal Baſtions; and in all the Duke's Country there is not (*Nancy* excepted) any Town, Caſtle, or Fortreſs, where the Duke may defend himſelf in the leaſt from any Inſult that a Rebel Subject, or a troubleſome Neighbour, may attempt upon him.

But that which goes neareſt to M. *Cannon*'s Heart, and which he begs may be laid more eſpecially before his Majeſty, is, that the Town of *Nancy* is the very Center of all the Country that is under the Duke of *Lorain*; and the *French*, if that Town muſt be theirs, cannot come, but muſt, as it were, tread down and trample over the Body of the Dutchies of *Lorain* and *Barre*, ſo that all Parts of them by this Means will be expoſed to perpetual Marches and Ruins, and by degrees to utter Deſolation.

As for the City of *Toule*, he ſays, 'tis a miſerable poor Place, and lies as it were in a Corner of the Duke's Country; it has not he is ſure 200 *Bourgeios* in it, the Bulk of that Town conſiſting in Churches and Convents; the Poverty of it may be eſtimated by that of the Biſhoprick, which lay vacant for ſeveral Years, for that none at the Court of *France* would accept of it; and at laſt they were forced to give it to a ſimple Curate in the Town of *Paris*.

These are the Reaſons (as far as I was able to comprehend them) that he gave againſt his Maſter's parting with *Nancy*, and exchanging it with *Toule*; but he had heard, that the Moſt Chriſtian King himſelf thought the Propoſitions ſo hard of Digeſtion, that he concluded the Duke would not be able to receive them, therefore that he is come to a Reſolution, that unleſs the Duke will part with *Nancy*, he will demoliſh it.

In this Caſe, M. *Cannon* thinks the Duke will be obliged to fly to his Majeſty's Protection, no leſs than in the other; for 'tis the only Place (as was ſaid before) that the Duke has left him, to ſhelter himſelf from any ordinary Inſults; beſides, whatever Fortifications there are here, they have not ſtood in one Penny Expence to *France*; (which he deſires may be particularly obſerved to his Majeſty) they having been raiſed altogether at the Charge of that Country; and the Duke (as M. *Cannon* believes) will enter into any Expedient (but he ſaid this wholly out of his own Head) of putting it into ſuch Hands, as the King our Maſter ſhould approve of, rather than be ſtript naked of all Defence in his Country, and left in as bad a Condition as any private Gentleman in it: This Favour he hopes his Majeſty will the more eaſily obtain of the Moſt Chriſtian King, for that the Duke hath never given any Offence to *France* in all his Life; and reſolves to live with that Reſpect towards that King, as ſhall give him content if poſſible.

This was, as near as I can recollect, the Subſtance of M. *Cannon*'s Diſcourſe and Requeſt to me; but I perceived laſt Night, in an ordinary Converſation I had with *Don P. Ronquillo*, that this Propoſition touching the Duke of *Lorain*, has an Impreſſion upon the *Spaniſh* Ambaſſadors; *Don Pedro*'s Expreſſion was, that they, the *Spaniards*, are very much curtail'd, according to all the Accounts he hath had yet of the Project on Foot; that it will be not only a weakning, but a great disfiguring of them, to have the *Franchè Comtè* taken from them; but that they muſt expect to ſee how their Allies will be dealt withal; he named the Duke of *Lorain* with ſome Emphaſis, then the King of *Denmark*, then the Elector of *Brandenburgh*, and the Dukes of *Lunenburgh*, *Zell*, and *Oſnabrug*, as if the Satisfaction of all thoſe Parties was a neceſſary Ingredient to make them, the *Spaniards*, acquieſce in ſuch a Project. I cannot ſay, he did fully ſpeak out to this Effect, but I conceived this to be his meaning. He ſeems to be confident, that *Italy* will not be diſturbed this Campaign; and that all thoſe Magazines that are talk'd of to be at *Pignerol*, and other Places, are come to nothing; and that the Cardinal *d'Eſtrees* had done no great Matter in his Negotiation at *Turin*. *Don Pedro*'s Letters of the *29th* from *Milan*, ſpeak the Cardinal gone by the Way of *Geneva*, into *Switzerland*; but I am told by another Hand, that he is come to *Munick*, the Elector of *Bavaria*'s Reſidence. I am, *&c.*

L. Jenkins.

Nimeguen, 10*th Jan.* 1677-8.

Right Honourable Sir,

My laſt was of the *7th*; ſince which, I have the Favour of yours of the *4th* Current to acknowledge; and do moſt humbly thank you for it.

On *Monday*, after the Poſt was gone, M. *Colbert*, in an ordinary Viſit I gave him, entred into a Diſcourſe of the great Expectations that are now out of *England*, and of the Aſſurance wherewith the Allies here do promiſe themſelves that there will be a Breach very ſuddenly between his Majeſty and *France*. He did not believe, he ſaid, that the Breach was in that Forwardneſs they would have it; yet that the Letters of that Day, that were come from *France*, are not very promiſing.

He

He told me, that the King his Maſter had ſent his Reſolutions on the 4*th* Inſtant, *N. S.* by a Courier to M. *Barillon*, and that upon two Points, the one concerning a Ceſſation of Arms, and the other concerning the Places that were to be reſtored to the *Spaniards*, or elſe to remain to the *French*. For the Places, there were demanded by the King his Maſter, *Tournay*, *Valenciennes*, and *Conde*, which he could not poſſibly part with, without too great a Diminution of thoſe Advantages that had coſt him ſo dear in Treaſure and the Blood of his Subjects: *Tournay* eſpecially, he lookt upon as the ancient Patrimony of *France*, as the Place where the chief Seat of Juſtice was to be, beſides the Conveniency of its Scituation in many Reſpects; and that it was yielded to him by a ſolemn Treaty, that of *Aix la Chapelle*.

There were other little Conveniencies that he thought neceſſary to ſtand upon, as to have ſome Part of a neighbouring *Chatelaine*, for the Eaſe of *Liſle*; to have *Charlemount*, for the better covering of *Champagne*; the *Chatelanie* for the Town of *Vurnes*, and ſome other ſmall Things, not ſo much for any Advantage they might yield to *France*, but for the avoiding of Diſputes, and making the Limits more equal and certain.

That which he ſaid concerning the Ceſſation of Arms was, that his Majeſty demanded it ſhould be the 1*ſt* of *March*, and in the mean Time, that the *French* ſhould attempt nothing in *Flanders*; his Majeſty requiring that Interval to ſend to all Parties, in Order to have them agree to the Ceſſation, and nothing in the mean Time to be done that might change the preſent State of Affairs; this he ſaid was too hard; for if the Liberty of acting at this Time be taken from the *French*, there will be in a Manner a Stop put to their Progreſs for the whole Year; ſince in the Summer they will have ſo many Enemies upon their Hands, and ſo much to do to defend themſelves, as not to be able to act, as now they may.

For the Duke of *Lorain*, he ſaid, all was to be reſtored to him, *Nancy* excepted: And in Lieu of it, he ſhould have the City of *Toule*, ſo that his Terms will be much eaſier than thoſe agreed to his Uncle at the Peace of the *Pyrenees*; for by that Peace, the whole Dutchy of *Barre*, and a great many more Places, were reſerved to *France*; and now all thoſe are let go by *France*, and only a Way reſerved ſtill, as there was then, for the *French* to march through the Country towards *Germany*.

For *Sicily*, he ſaid, it was a Secret to them, but only that they underſtood in the general, that *France* had agreed to what his Majeſty had deſired about it.

As for the Reſtitution of the *Swede*, he ſaid, his Majeſty had taken it wholly upon himſelf; and doubted not, but that he, and the States General, ſhould be able to make what Peace in the *North* they themſelves ſhould pleaſe.

He ſeemed to be perfectly inſtructed to make out the Reaſonableneſs of Limits and Dependencies they ſtand upon in the *Low-Countries*, and did commend mightily the Moderation that *France* was now come to, ſaying, that if they had had the Conceſſions now made by *France* put into their Hands, before the Prince of *Orange*'s Journey into *England*, they would 'ere this have concluded a Peace with M. *Beverning* and the *Spaniards*; but now that M. *Beverning* gave them no Hopes at all. For that he, M. *Colbert*, and his Collegue, having been ſome Days ſince to enquire of him, in what State the Affair of the Commerce between the two Nations was, found him quite of another Judgment than he uſed to be; for that he told them, he had been long of Opinion, that

that *England* would not ſtir for the Preſervation of *Flanders*, and had had often told his Allies ſo much, but that now he was quite of another Judgment; telling them plainly, *England* would break with them within three Weeks, and that they ſhould be here to ſee it: But this he deſired might not return to M. *Beverning* again, but repeated to me, he had ſaid thoſe very Words, upon the Occaſion I gave him, by telling him, I did not know upon what Grounds M. *Beverning* framed to himſelf ſuch a Judgment.

I found indeed by M. *Beverning*, in a Converſation I had with him yeſterday, that they had been with him on *Monday* was ſevennight; and that it was to communicate to him, by Order of their Court, the very ſame Propoſition (as they told him then) which the King their Maſter had ſent to M. *Barillon* by his Couriers of the 4*th*, and that he then told them, that the States his Maſters would not go one whit lower in their Demands, than thoſe the King our Maſter made; the Reaſon of his ſaying ſo was, he ſaid, that he had, upon ſeveral Occaſions, offered the *French* ſeveral Projects of his own Head, in Order to diſcover whether they, and the *Spaniards*, would be brought ſo near together, as that the *Dutch* might tell the *Spaniards*, *ſo much they muſt be content with, for that they are not able to procure them any more, nor to continue with them in the War any longer.*

M. *Barillon*, upon this or ſome other Suppoſition, having lately given out, that the *Dutch* would once have yielded to eaſier Terms than thoſe his Majeſty now inſiſts upon for the *Spaniards*; the States having given Orders to him, M. *Beverning*, here, and to M. *Van Beuninghen* at Court, not to enter upon any Manner of Model upon their own Heads, but upon all Occaſions to ſay, as he, M. *Beverning*, told the *French*, *that the King our Maſter having meddled ſo far in it, they, the* Dutch *Ambaſſadors, were to pretend nothing, but to ſee his Majeſty ſatisfied in his own Way, or to that Effect.*

I find M. *Beverning* ſtill perſwaded, there is ſome great Intrigue between the *French* and the Houſe of *Lunenburgh*: M. *Oxenſtiern* has lately told him, the *French* had made a Propoſition to him, that the *Swedes* ſhould quit the Biſhopricks of *Bremen* and *Verden*, and that they ſhould have an Equivalent for it, out of the Elector of *Brandenburgh*'s Eſtates in *Pruſſia*; but that he abſolutely rejected the Propoſition, as knowing the Crown of *Sweden* would never Part with their Intereſt in the Empire, where they are eſtabliſhed in a Seſſion and a Vote, beſides other Advantages.

He and I ſpeaking of the great Mind that *France* hath had of a long Time to the *Spaniſh Netherlands*, and how it appears in the Inſtruction of Cardinal *Mazarin* to the *French* Plenipotentiaries at *Munſter*; as alſo obſerving how ſoon it repented the States of the Treaty of 1635 with *France*, whereby the whole *Spaniſh Netherlands* were to be ſhared between them; He told me, the *French* had ſince there coming hither made him a Propoſition, and that in Writing too, offering to divide the *Spaniſh Netherlands* between the *French* and the *Dutch*; where you will pleaſe to obſerve, what Manner of Things there are, that paſs between the Parties in War, without their Mediators being made privy to it: But of this Article, I humbly beg, ſince it was ſaid in the utmoſt Confidence, that Uſe may be made of it, ſo as that it do not recoil hither again.

M. *d'Avaux*, in a Viſit he gave me yeſterday, was much upon giving the Reaſonableneſs of the Propoſition ſent to M. *Barillon* by the Courier of the 4*th*, and ſaid, that the Terms offered them now were har-

harder than either of the Alternatives given them at *Aix la Chapelle*; but the ſitting of the Parliament drawing ſo near, is that that ſeems to give them the greateſt Trouble; and M. *Beverning* is of Opinion, that the breaking of the Meaſures they have in the Empire with the Electors of *Bavaria*, *Saxony*, and *Brunſwick*, is a great Vexation to their Thoughts at this Time.

I found M. *Chriſtine*, in a Viſit I gave him yeſterday, in a great Diſquiet, leaſt any other Place ſhould be beſieged; for he thought nothing in his Country able to reſiſt the Torrent of the *French*, unleſs it be, that they have Hopes *England* will ſtand by them; in that Caſe, he ſaid, rather than yield, they would hazard the utmoſt Extremities.

Just at Noon, M. *Blaſpiel* came to deſire me it might be humbly repreſented to his Majeſty, that the Elector of *Brandenburgh* hath a Pretenſion againſt *France* of Damages and Ruins to be repair'd in, to the Value of between four and five Millions of Crowns, which he ſuffered by the *French* in *Cleves* and other Places: This he deſires may be laid before his Majeſty, for that he is informed, both out of *England* and from the *Hague*, that the Method his Majeſty propoſes to himſelf is, *firſt*, To make a Peace between *France* and *Spain*, taking in *Lorain*; and then between *France* and the Emperor; and when that is done, between the *Northern* Princes; ſo that unleſs his Majeſty may pleaſe to be adverti ſed betimes of this Pretenſion of the Elector upon *France*, he poſſibly may take it for granted, that there is nothing in Difference between them, as there is not about any Territories or Places.

He deſires that it may be obſerved likewiſe, that this is no new Demand; for the firſt Propoſition of *Brandenburgh* againſt *France* in the firſt Article, the Reparation of theſe is demanded in general Terms, with Reſerve to particularize and make it out, which theſe Ambaſſadors are ready to do with very ſufficient Evidence. I am, *&c.*

L. Jenkins.

Nimeguen, 14*th Jan.* 1677-8.

Right Honourable Sir,

SINCE my laſt, which was of the 10*th*, I have the Favour of yours of the 5*th* Current, and am ſorry to underſtand that there is Reaſon to fear that the Mail that brought the Letters of the 31*ſt* paſt from this Place may have come to ſome Misfortune; I hope to hear better News; however, I ſend you a Duplicate of the Diſpatch of that Day, tho' there was nothing very material in it; but that I ſent by it Copies of the *Plenipouvoir* and Propoſitions of the *Holſtein* Miniſters, with my moſt humble Supplication to his Majeſty for his gracious Pleaſure, whether I ſhould move the *Dane*, I mean M. *Heugh*, and paſs my Offices upon thoſe Papers? The Reaſon why I beg his Majeſty may be moved is, that I doubt M. *Heugh* may ſay, that his Majeſty's Mediation is accepted only as to the Parties that are in War and their Allies, and not in this Difference, which he would have to be no other than a Domeſtick Affair; beſides, I do not know but that the King of *Denmark* may, upon ſuch an Occaſion as this is, take a Pretext to fall upon the Duke and his Country, as an Ally of his Enemy, and treat him more coarſely than he hath hitherto; therefore that ſuch a Step as this, is not to be made till his Majeſty be fully informed what the

Papers

Papers do import in them, and what Anſwer M. *du Croſs* has to give upon the Difficulty his Majeſty himſelf put to him in the Beginning of *October* laſt, as appears by your Diſpatch of the *26th* of that Month.

LAST Night were with me M. *Oxenſtiern* and M. *d'Olivenkrantz*, (the laſt returning to this Town on *Friday*) having taken an Hour of me with more than ordinary Solemnity; their Buſineſs was to tell me, that the King their Maſter having been informed by them from Time to Time, and particularly by M. *d'Olivenkrantz*, in the late Journey he made to wait on his King, of the great Care and Affection his Majeſty hath upon all Occaſions ſhewn the King of *Sweden* and his Intereſt, that King had ordered them, his Ambaſſadors, to declare to his Majeſty's Miniſters here, thoſe deep Preſentments of Thanks that King had of his Majeſty's Friendſhip for him, as alſo the Deſire and Longing he had to be able to make appear his Senſe of Thanks, and Acknowledgment towards his Majeſty.

HAVING done this Complement, they entered into a Diſcourſe of the Apprehenſion they had of a Rupture between *England* and *France*, not upon any certain Knowledge, they ſaid, of their own, but upon the common Report and Surmiſes at this Time. They ſaid, it was extreamly their Deſire, and their Maſter's eſpecially, that his Majeſty might be ſo ſucceſsful as to give a Peace to *Chriſtendom*, and then *Sweden* would be ſafe; but in caſe Almighty GOD ſhould think fit to continue theſe Calamities longer upon *Chriſtendom*, and that *England* ſhould enter into the War, it was their Deſire to me, I would repreſent it in all Humility to his Majeſty, that *Sweden* is not in the leaſt acceſſary to the continuing of the War; and therefore that they hoped his Majeſty would not have the leſs Friendſhip for their King, if *France* ſhould happen to refuſe the Terms that the King our Maſter offers them; for they, the *Swedes*, deſire no other than his Majeſty's entire Satisfaction as to the Conſervation of the *Spaniſh Netherlands*, and they ſhould not be otherwiſe well pleaſed, if it were reſtored even to the Terms of the Treaty of the *Pyrenees*.

HIS Majeſty, they ſuppoſe, muſt, if he come to a Rupture, enter into an Alliance with the Confederates, at leaſt with ſome of them; and it is their Hope and humble Deſire it may not be to the Prejudice of *Sweden*, who hath no Part in the continuing of this War. Beſides, by M. *Sparr*'s Treaty with *France* of the Year 1675, they, the *Swedes*, are at Liberty to give over the War, whenever the Treaties of *Weſtphalia* are reſtored to their entire Force; therefore they hope his Majeſty will find a Way to take them out of the Difficulties they are now in, tho' he himſelf ſhould break with *France*. This was the Sum of their Diſcourſe laſt Night, as far as I could remember it.

M. *Oxenſtiern* had been with me on *Thurſday*, to ſpeak of the gracious Expreſſions his Majeſty had uſed very lately to Sir *John Leyenbergh*, wherein his Majeſty was pleaſed not only to aſſure him that he would take Care of the King his Maſter's Intereſts in this Conjuncture, but alſo that he would ſend the King of *Sweden* an Account of what paſſed, as ſoon as it ſhould come to Ripeneſs.

M. *d'Olivenkrantz*, on *Friday* as he came to Town, lighted at my Houſe before he went to his own; and ſpeaking of the Affairs of this Conjuncture, and how little affectionate *France* is to them, and what Intrigues it is ſuppoſed to have with ſome of thoſe that have conquered upon them, he let fall an Expreſſion, which I ſubmit to your Interpretation, when you will have compared it with the Diſcourſe of laſt Night;

Night; it was, that if *England* do break with *France*, then they, the *Swedes*, cannot poſſibly continue in the War.

In that Converſation he told me, it was his Hopes to have returned hither by the Way of *England*; it happened by the Negligence of the Governor of *Gottenburg*, that he miſs'd that Opportunity; but it depends, as he told me, upon ſome Anſwer he expects out of *England*, whether he make not yet an Excurſion thither from this Place.

On *Saturday* he told me, that M. *Colbert* had taken ſome Pains to convince him of the Reaſonableneſs of thoſe Propoſitions that *France* made, and that *Tournay valoit bien une guerre*; tho' M. *d'Olivenkrantz* ſpoke himſelf to be of Opinion, that if *France* ſhould break upon *Tournay*, all will judge it is becauſe it intends to begin the War again 'ere long, and therefore would not miſs a Place to enter into the Heart of the Country.

He told me then likewiſe, that *Lilliroed* came over with him in his Way to *France*, that they met with his Paſſport from the States, and Duke *de Villa Hermoſa* at *Amſterdam*, and is gone thither in all Diligence; that he hath Orders to preſs the Peace, and ſhall by the next Poſt receive the beſt Reaſons they are able to give him hence, for to perſwade the *French* Court to accept it.

He intimated that M. *Lilliroed* had been ſent to the King our Maſter's Ambaſſador there, as being a Perſon that hath been long acquainted with the *French* Court, and inſtructed for the ſame Ends by Mr. *Montague*; only there happens to be a little Embarraſs in the Way, which the King of *Sweden* will very ſuddenly take off by expreſs Orders (M. *d'Olivenkrantz* having been fully heard upon the Point); which is, that he will conform himſelf to the Stile of *England* and *France*, and being no more but *Envoyé Extraordinaire*, will have Orders not to pretend the Hand and the *Pas* of Ambaſſadors in their Houſes. He, M. *d'Olivenkrantz*, took Leave of his Maſter the 15*th* of *November*, at the Camp before *Chriſtianſtadt*; ſo that nothing can be new of what he ſays, that they had block'd up *Chriſtianſtadt* with two Camps, the one at that Diſtance from the other, that they could not hinder ſingle Perſons from going in in the Night-time, but that they did hinder all Succours of Men or otherwiſe; and ſo they are in a Poſture about *Landſcroon*, to prevent all Incurſions of that Garriſon into *Schoonen*.

On *Saturday* the Biſhop of *Gurck* favoured me with a Viſit, which was more than ordinary long; his Deſign, I gueſs'd, was, to penetrate what the Terms are, that his Majeſty and the States General are agreed upon in order to this Peace; he being informed from the *Imperial* Miniſter at the *Hague*, that Mr. *Thynne* brought over a Treaty, that hath been ſince agreed and ſigned on this Side, but not yet communicated by the States to their Allies.

Having no Manner of Satisfaction from me in this Point, he entered into a Diſcourſe of the little Likelihood there was that this Peace would be laſting.

Firſt, For that *France* would do by it, as it did by thoſe of *Pyrenees* and *Aix la Chapelle*, breaking the firſt (in the Affair of *Portugal*) the very ſame Day it was ſign'd.

Secondly, That *France* works ſo deep by its Practices in moſt of the Courts in *Chriſtendom*, that there are no Hopes of making any Alliance or Guaranty, that will hold and be effectual to the maintaining of this Peace if it be made; he gave an Inſtance how *France* had the Art to lull the Emperor and *Spain* aſleep with Propoſals that were plauſible, at

that very Time when the War was made upon *Holland*. And ſaid moreover, that the Emperor is at no Time ſecure, but that *France* may bring in the *Turk*, in order to find him Work more than enough.

Thirdly, Tho' the Barrier ſhould be obtained, as 'tis now propoſed, taking in *Tournay*, *Valenciennes*, and *Conde* into the Bargain, yet *France*, in the Condition it is now in, will be able in a Manner to ſwallow up that Country, as it is without Poſſibility of Reſiſtance; beſides that, *Spain* will at laſt grow weary to maintain a Country that is ſo great a Burthen to it, and think of imploying thoſe Treaſures that are ſent thither, in ſome other more advantageous Way, unleſs it may be reduced to the Conditions it was formerly in, of ſubſiſting itſelf.

The Difficulties and Dangers of the War being objected to him as the other Extream, he did not ſeem to apprehend them to be ſo great; for,

Firſt, He thought the *Germans*, if not diverted or overborn by the *Turk*, will give as good an Account of their National Valour as the *French* have done, and will be able to make Head againſt them; they have ſhewed themſelves a Match to the *French* all this Summer long, and bating the Misfortune of *Friburg*, the Marquiſs *de Crequi* found himſelf obliged to reſpect the *German* Army; inſomuch that M. *Colbert* complemented him, the Biſhop, upon the Valour of both Nations, as equal in the Buſineſs of *Cohersberge*.

Secondly, That the Force of theſe States, both by Sea and Land, was, as it were, the other Arm of this Confederacy, and was conſiderable in Proportion; and that if *England* did come in, *France* ſhould find itſelf extreamly overmatch'd; he making little Doubt of this laſt, being informed that *England* armed very powerfully both by Sea and Land.

Thirdly, The Sinews of War being Men and Money, it is viſible that *France* would not have Recourſe to *England*, *Switzerland*, *Portugal*, and *Italy*, for Recruits, with that Application that it hath done theſe Years paſt, but that the *French* do fail apace. And for Money, if *England* break with them, then the Vent of their Wines, and other Commodities of their Growth, (which are their *Indies*) will fail them; and that it will be ſo, he hath one Argument he ſaith more, which is, that in *England* they hearken after the Means of opening the *Rhine*, which is very feaſible, and would bring *Rheniſh* Wine at much better Rates than any *French* Wine is.

Being told of the Poſſibility there was of ſome of the Parties changing Sides, and new ones declaring themſelves, he was of Opinion, that in that caſe the Confederates would not only be ſafer than now they are, but draw more Advantages than now they do from ſuch half Friends.

This Diſcourſe being ſpun to about two Hours long, made me reflect much upon what M. *Blaſpiel* had told me, that ſome of the Allies complain very much of the Mediation, that they do not acquaint them with what paſſes; and what M. *Petcum* told me, (all three within the Compaſs of this Week) that they, the Allies, are ſilent towards them, the *Danes*: And I ſubmit it to you to judge, whether any Peace that can be procured for that Party, as Things now ſtand, will pleaſe them; and if it come to their Turn here to have a Vote in it, they will not rather put it back than forwards.

M. *Somnitz* on *Saturday* made a ſolemn Profeſſion to me, that the Elector his Maſter deſires nothing but to be ſecure in his Eſtates; that he had not undertaken this War to enlarge his Territories; that the Prince of *Orange* told him, M. *Somnitz*, when he was lately at the *Hague*,

Hague, that his Majeſty had a ſpecial Care and Concern of the Elector; and therefore that he deſired me moſt humbly to repreſent to his Majeſty, that the Elector's Confidence is perfectly in his Majeſty's Care and Protection. I am, *&c.*

L. Jenkins.

Nimeguen, 17*th Jan.* 1677-8.

Right Honourable SIR,

SINCE my laſt, which was of the 14*th*, I have not any from you to acknowledge.

ON *Tueſday* M. *Heugh* took an Hour of me, to acquaint me with the Orders he had lately received from his Court, touching the Paſſage of the *Swediſh* Letters, to this Effect:

THAT whereas the firſt Orders of the King of *Denmark* were, that his Ambaſſadors here ſhould inſiſt to have the *Reciproque* for the Letters of that Court into *Norway*, now they ſhould deſiſt wholly from that Demand; and ſo from another Article, which was, that this Liberty to the *Swedes* ſhould laſt but for ſix Months Time, and that in lieu of theſe two Points, no more ſhould be demanded of the *Swedes*, but to give it in Writing under their Hands, that they will not make Uſe of this Liberty for the Conveyance of any Letters, but thoſe that ſhall relate to the Negotiation at *Nimeguen*. He told me, the King his Maſter was come to this Reſolution, becauſe of the Likelihood there is, that there may be Propoſitions and Overtures of Peace put to them by his Majeſty's Mediation 'ere it be long.

YESTERDAY I communicated this Reſolution to the *Swediſh* Ambaſſadors, and they have taken Time to deliberate upon it, and to give me their Anſwer.

M. *Colbert*, in a Viſit he gave me on *Tueſday* Night, entered preſently into a Diſcourſe of the Breach that the Allies do expect will ſuddenly be between *England* and *France*: He ſpoke largely,

Firſt, OF the Uncertainty of War in general, and of the little Poſſibility there is of the *Engliſh* to be able to ſubſiſt, much leſs to do any Thing conſiderable in the *Spaniſh Netherlands*, eſpecially if the *French* can get but two Places more than they have in it.

Secondly, OF the Unreaſonableneſs of expecting, that the *French* ſhould part with *Tournay*; and he is confident there is no Man in the Council of the King his Maſter, that dares adviſe him to hearken to any ſuch Propoſition, and would be preſently turn'd out if he did it.

Thirdly, OF the many great Things he is willing to reſtore to the *Spaniards* and the Duke of *Lorain*, and if he reſtored more, he would not be able to anſwer it to GOD and his own Subjects, if after the ſpending of ſo much Blood and Treaſure, he retain no more of what is fallen into his Hands for the Security of his Frontiers.

Fourthly, OF the Change that may be between the Parties themſelves; *Bavaria* may declare, the Houſe of *Brunſwick* being extreamly diſſatisfied with the Emperor, may come over to them, and there may be ſuddenly great Changes in *Flanders*, (for ought he knows) by the Revolt of ſome great Towns there, and their yielding themſelves up to the King his Maſter.

Fifthly, OF the Jealouſies that we have at Home, and the Uncertainty that the Parliament will continue always in the ſame Diſpoſition for giving of Money, when they find the War to be long as well

as chargeable, and of the claſhing they may come to with the Regal Authority, both by pretending to inſpect how it is ſpent, and to name Commanders, or at leaſtwiſe to recommend them for the War. Theſe were the Heads upon which his Diſcourſe ran, mingling very much with it the preſent Vigour that is in the Counſels, and Arms of *France*. He wiſh'd himſelf very much in *England* for ſome little Time, and doubted not but his Majeſty would hearken to him very graciouſly upon this Subject; but that which ſeems to trouble him moſt is, that the *Spaniards* and the States General would, he is ſure of it he ſays, be content with the Places that were talk'd of in *September* laſt, and would accept of a Peace with having either *Tournay* or *Valenciennes*; that they might have made the Peace with them upon thoſe Terms laſt Summer; and that this Difficulty about thoſe two Places and *Conde* ariſes only from us in *England*.

I wiſh there may not be ſome Artifice in throwing the Odium of refuſing the Peace upon us; for I hear it is given out, that the States General have reſigned themſelves wholly to his Majeſty's Determination; and that whatever Peace he ſhall think fit to accept of, it ſhall pleaſe them.

The Biſhop of *Gurck* told me laſt Night, that here is a Report in Town, (it is ſaid to come from M. *Van Beuninghen*) that the Parliament was to be prorogued from the 15*th* to the 18*th*. I had met with it before, and it is in every Body's Mouth, but I perceive it puzzles the Allies not a little. M. *de Gurck* ſays, the League offenſive and defenſive between *England* and *Holland* is a Thing certain; but the States have excuſed themſelves to the Miniſters of their Allies for giving them Part of it till the Ratifications be exchanged.

M. *Cannon* did me the Honour from the Duke his Maſter, as he ſaid, to acquaint me on *Friday* laſt, with the Duke's being upon his Journey for *Vienna*, in Order to finiſh his Marriage; telling me, that the Duke had written a Letter to his Majeſty, to give him notice of that Voyage; but M. *de Gurck* was not certain laſt Night, that he was yet gone, the Hurt from his Fall not ſuffering him yet to put himſelf upon ſuch a Journey. I am, *&c.*

L. Jenkins.

Nimeguen, 21ſt Jan. 1677-8.

Right Honourable Sir,

Since my laſt, which was of the 17*th*, I have the Favour of yours of the 11*th* to acknowledge; and therein his Majeſty's gracious Pleaſure, whereby he diſpenceth with that Point of his former Orders, for us to except againſt Count *Antoine*'s intervening and aſſiſting at the Meetings of the Allies, where we ſhould happen to be preſent; the Points of the firſt Notification and Reviſits reſting ſtill as they were. I ſhall not fail, God willing, to keep cloſe to the Letter of his Order, as to what remains yet in Diſpute.

On *Thurſday*, the *Swediſh* Ambaſſadors were with me, to tell me, they would accept of the Temperament the *Dane* is come to about the Paſſage of their Letters. I have been with M. *Heugh* twice ſince, about a Minute of a Paſſport for the *Swediſh* Couriers, and to ſhew him the Act that the *Swediſh* Ambaſſadors are willing to give under their Hands, that they will not uſe that Liberty but in Order to the Negotiations of this Place. I have a Minute from him, but he took

took ſome Exceptions at that Act, as not full enough; but I hope at laſt the Thing will have a good Iſſue.

On *Friday*, here was with me M. *Beverning*, to give the Copy encloſed of M. *de Louvoy*'s Anſwer to a Letter that the *French* Ambaſſadors had written to him, upon the Offices I had paſſed about having the Priſoners taken at *Mont-Caſſel* ſet at Liberty, they paying their Ranſom, according to the Cartel agreed three Years ago between both Nations. It was a Wonder to him, he ſaid, to find them at this Time ſo fair in *France*; having made ſeveral Cavils heretofore at that Cartel, and refuſed to execute their Part of it.

I did not expect to have received the Communication of this Anſwer from him, the natural Method being, that the *French* Ambaſſadors ſhould have given it me, ſince the Inſtance I made to them gave Occaſion for that Anſwer; however, they choſe to carry it themſelves directly to M. *Beverning*.

He told me, he had been at them ſeveral Times, to agree the Treaty of Commerce; and hath offered them ſeveral Changes in his Project, but hath not been able to fix them to any Thing; that M. *Colbert* and M. *de Louvois* have been lately ſeveral Times . . . . . that M. *le Tellier* hath taken M. *Colbert*'s Part againſt his own Son, who, when M. *Colbert* alledg'd that the People of *France* would not be able to bear the Burthens they are under, would needs maintain there would be Ways found to make them do it.

M. *Beverning* went from me, as he ſaid, to M. *d'Olivenkrantz*, to ſatisfie him in a Point that the *French* Ambaſſadors give out here with ſome Induſtry; they ſay, that the Propoſal of a Ceſſation of Arms for twelve Months was come from his Majeſty to their Maſter, but he, M. *Beverning*, had a Letter from M. *Beuninghen*, to ſhew him, that this Propoſal was come from *France* to his Majeſty, and that his Majeſty deſired no more than three Months Time for a Ceſſation.

In this Converſation with M. *Beverning*, I underſtood that a Courier, who arrived on *Thurſday* laſt at nine at Night, came to him; he told me ſo himſelf; but nothing at all of the Occaſion upon which he came.

Yesterday M. *d'Avaux* told me the News of *Rugen*, as being, he ſaid, much the more pleaſing to him, and that he was perſwaded, it would contribute much to the Peace; they have Letters, he ſaid, from M. *de Rebenac*, (M. *de Feuquiers*'s Son) that was in the Action: He writes, that the *Swedes* having gain'd the *Danes* Cannon, (being eight Pieces) had turn'd them upon them, and quite broken the Foot; that 2000 *Daniſh* Horſe were retreated to the Corner of the Iſland, and they were purſuing them, and in the Cloſe of the ſame Letter he adds, that theſe Horſe had all rendred themſelves at Diſcretion.

M. *Ulken* has likewiſe the Particulars much to the ſame Effect; he ſays, they fought from eight a Clock till two; that there are about a 1000 kill'd, it ſeems thoſe were *Imperialiſts*, for ſo M. *d'Olivenkrantz* repreſents them to be; and that they refuſed Quarter: All the reſt upon the Iſland (about 500 in all) being made Priſoners to a Man.

Being with M. *Heugh* laſt Night about the *Swediſh* Letters, he did not take notice of any Thing of this to me. He told me ſome *Bruſſels* News, as that Mr. *Godolphin* does not purſue his Journey into *Spain*, as was at firſt talk'd of; but is gone back, having it ſeems diſpatch'd the Buſineſs he was ſent upon with the Duke *de Villa Hermoſa*; but

but that which he ſaid of the Count *Tuentes* is ſomething ſtrange; that having formerly refuſed to haſten his Journey into *England*, he would now have gone in all Diligence, in Hopes that Affairs may be there more favourable for his Court, but that the Duke *de Villa Hermoſa* deſired him to forbear for ſome Time; ſuppoſing, as M. *Heugh* thinks, that the *Spaniſh* Affairs there are already in a good Hand; however, M. *de Tuentes* taking upon him to go to *Antwerp* about Buſineſs, would have given him the Slip, and paſs'd over into *England*; but that the Duke ſent after him, and let him underſtand, that he muſt not think of going; and if he did, he ſhould find himſelf utterly diſappointed; thus M. *Heugh* tells this Story: But *Don P. Ronquillo*'s Secretary hath ſaid, that he had taken his Journey in Diſquiet, and was actually ſeized on by a Party of 50 Horſe between *Antwerp* and *Moordyke*.

I took leave to tell you ſome Time ſince, of the Letters coming ſometimes faſter by the Way of *Amſterdam* to this Town, than by the *Hague*, we had an Experiment of it laſt Night; M. *Ulken* ſhewed me a Letter laſt Night of the 15*th* from M. *du Croſs*, adviſing that the Parliament is prorogu'd for a Fortnight; this Letter he receiv'd at Noon, being come under the Covert of M. *Oxenſtiern* in the *Amſterdam* Bag. I do not expect ours ſhould come till the Extraordinary arrives, that is to carry to the *Hague* the Letters of this Day, which will be between three and four this Afternoon; ſo theſe Letters have the Start of ours by between twenty four and thirty Hours.

All that I can learn of this Buſineſs yet is this; that there is a Capitulation, whereby the Town of *Amſterdam* is to have the Letters addreſſed to that Town delivered in the Letter Office at *Amſterdam*, as ſoon as any other Town whatſoever (tho' never ſo near the landing Place, as *Rotterdam* and the *Hague* are for Inſtance to the *Brill*) have their Letters delivered at their Office; if ſo, our Letters that go in the *Amſterdam* Bag, are as ſoon, if not ſooner there, as thoſe that come directly hither by the Way of *Utrecht* are at *Alphen*, (which is the firſt Stage) but of this Capitulation, M. *Fagel*, the Penſioner's Brother, our Burgomaſter and Poſtmaſter here, does not own to know any Thing: Nor how it comes to paſs, that the Courier from *Amſterdam* makes better ſpeed hither, than he that comes from *Utrecht*. Nay, ſays, he has been at *Amſterdam* to inform himſelf of this Matter, but has not been able to do it.

All that he ſays is, that the *Engliſh* Letters come not at all at the *Hague*, but are ſent by an Expreſs to *Alphen*, where the ſame Poſt changes Horſes, and brings them as far as *Utrecht*; from *Utrecht* there come two Couriers extraordinary; the one at Noon upon *Wedneſday*, the other on *Thurſday*, to take our Letters, and carry them to the *Hague*; the other on *Saturday* at *Utrecht*, and arrives here on *Sunday*; ſo that when our Letters do not come in to *Utrecht*, by the Way of *Alphen*, before the extraordinary Packets, they muſt lie there till the next Ordinary comes, which is on *Friday* or *Tueſday* Night reſpectively; ſo that it is a meer good Luck of a Supernumerary Extraordinary coming by *Utrecht*, if we have thoſe Letters of the 14*th* this Day, that came yeſterday to Hand by the Way of *Amſterdam*, and be not forced to ſtay for them till the Ordinary brings them on *Wedneſday* Morning. I remain always, *&c.*

L. Jenkins.

Poſtſcript.

Poſtſcript.

NOW it is within half an Hour of the Extraordinary's going for the *Hague*, I do not (there being no ſupernumerary come in) expect your Letter of the 15*th*, till *Wedneſday* at 9 in the Morning.

Nimeguen, 24*th Jan.* 1677-8.

Right Honourable SIR,

WHAT I told you in my laſt (which was of the 21*ſt*) touching the *Engliſh* Letters of the 15*th* Current, is too true; thoſe that went by *Amſterdam* were delivered here *Sunday* at Noon the 20*th*, thoſe that came ſtrait here ſtuck ſo long by the Way, (at *Utrecht* it ſeems) that they were not delivered here till yeſterday the 23*d* about 9 in the Morning, that is three Days later upon the Point one than the other: But to make me ſome amends, I had not only the Favour of yours of the 15*th* yeſterday, but another of the 18*th*, (this laſt coming as faſt as it uſes to come) for both which I moſt humbly thank you.

COMPLAINING of this loitering of our Letters by the Way, as I did to M. *Van Haren*, (who return'd hither the Beginning of this Week) he ſays, the States themſelves are often ſerv'd ſo at the *Hague*, and merely becauſe of the Advantage that *Amſterdam* hath got to itſelf, to have its Letters delivered at the Letter Office as ſoon as *Roterdam* or any Town whatſoever; ſo that truly I think it would not do amiſs, to make ſome Trial by the Way of *Amſterdam*.

THE *Mecklenburgh* Miniſter was with me on *Monday*, and delivered me a Letter from his Maſter, with the Superſcription I told you of reform'd: He has a Pretenſion to be eaſed of a Toll, that the *Swedes* do impoſe in his Town of *Warnemund*, as well as to be repaired of the Damages he has ſuffered by the War; that Buſineſs of the Toll turns upon ſo many Hinges, that I deſired him it might be digeſted into a Memorial, which, when it is brought me, I ſhall not fail to ſend it you, and the reſt of his Papers.

HE told me, the Duke of *Hanover* hath a Gentleman here to look after his Affairs: His Name is *Villars*, he is a Major of Horſe, but has no Character, nor does he pretend to Buſineſs; but for the Return of M. *Muller*, he ſays there is no Certainty of the Time, only he expects him (being his Brother-in-law) to be here 'ere long, and ſo he does the Baron *de Platte*, who is the Miniſter

I do not now trouble you to give an Account of my little Negotiation at preſent between the *Dane* and the *Swede* about their Letters; they are both of them ſcrupulous upon little Matters; when we come to a Point, I ſhall take Leave to give you an Account of the whole. M. *Heugh* having taken an Hour with me on *Tueſday* about that Buſineſs, entered into a Converſation of the Hopes and the Fears all Men are now in touching the General Peace; and therein took Occaſion to complain downright of the States General, for their entering into a Treaty with *England*, about the Affair of the Allies, and by Name thoſe of *Denmark*, without any the leaſt Communication with the King his Maſter, or his Miniſters in it. He acknowledged, that they, the *Danes*, had not the leaſt Thing to except againſt the Proceedings of *England*, as to their Part of the Treaty; but that they had a Tie or Obligation upon

upon the United Provinces, which they ought to have better regarded and obſerved than they have done.

THIS was his Complaint; and I am told, M. *Meyercroon* was lately at the *Hague* much louder upon the ſame Subject; complaining how the Allies, eſpecially his Maſter, had no Communication of what paſſed between the Crown of *England* and this State; but the Penſioner *Fagel* wanted not a Reply that was able to ſilence any modeſt Man; it was, that the King of *Denmark* had made Treaties relating to this War, and the carrying of it on, ſince his Engagement to the States, and a long while ago; but that they had no Communication of what that King had done to this Day: This, I ſuppoſe, relates to what I told you ſome while ſince, of a Complaint M. *Beverning* made to me, of the *Danes* entring into ſecret Meaſures with the *Brandenburgher*.

NOR is M. *Heugh* the only Party that is diſſatisfied, for it was to me very viſible, in a Converſation I had laſt Night with M. *de los Ballaſes* and *Don P. Ronquillo*, that they are diſſatisfied in that they do not know to this Day what hath paſſed between *England* and *Holland*.

BUT they two, if I gueſs rightly, have another Head of Diſſatisfaction, that is, that Mr. *Godolphin* hath made a Journey to *Bruſſels*, and not to them, upon Suppoſal that his Journey is upon the Conditions of the Peace; but *Don Pedro* is willing to believe, that it is rather to demand ſome cautionary Place (he named that of *Oſtend*) for his Majeſty; and in that caſe, he ſaid, the giving of ſuch a Place cannot be conſented to, but the Treaty between *England* and *Holland* muſt be firſt communicated, that they, the *Spaniards*, may judge how far it tends to the Preſervation of their Country.

LAST Night M. *Colbert*, in an ordinary Viſit I gave him, did me the Favour, in the Proceſs of our Converſation, to read to me the greateſt Part of M. *Barillon*'s Letter of the 15*th*, that adviſeth the adjourning of the Parliament; the Letter, as he read it out of Cypher, ſpoke ſomething of Hopes, rather than Fear, from that Accident; it was a Trouble to him, M. *Barillon*, that his Majeſty had told him, he was reſolved to recal the *Engliſh* Forces: He ſeem'd to diſown that M. *de Ruvigni* had any Commiſſion for Buſineſs, as is given out on that Side; but he referr'd theſe Ambaſſadors to the more certain and quicker Advices touching the Peace, that they have directly hither from their Court.

M. *Colbert* ſeemed to be troubled likewiſe at the recalling of the *Engliſh* Forces, as a Thing ſomewhat boding, and of an ill Aſpect; but ſays, they had no Letters from their Miniſters on *Sunday* laſt; and that the private Letters ſpeak more of Hopes than otherwiſe: This I obſerved him to aver with Earneſtneſs; that the *Hollanders* would willingly accept of a Peace, upon the ſame Terms that *France* now offers it at this Time to his Majeſty: I doubt not there is Care taken on that Side to undeceive People in that Point.

HE ſeemed not to be ill pleaſed, that the Miniſters of the Allies, as well thoſe at the *Hague* as thoſe at *London*, are ſtill in the dark as to what paſſes; and as much, if not more diſſatisfied, as the Miniſters of *France* are, in that all Things are kept ſecret from them; and that they cannot penetrate into any Thing of what his Majeſty projects within himſelf. I am, *&c.*

L. Jenkins.

Nime-

Nimeguen, 28th Jan. 1677-8.

Right Honourable SIR,

HAVING not the Favour of any from you ſince my laſt, which was of the 24*th*, I have not much to write, there having nothing of Moment intervened.

UPON *Thurſday* I paſſed my Offices with the *Spaniſh* Ambaſſadors upon the Duke of *Anguien*'s Memorial, which goes herewith, together with the Contract of Marriage, King *Caſimir* of *Poland*'s laſt Will, and the Princeſs *Palatine*'s Renunciation of that Executorſhip. The *Spaniards* ſaid no more of it, but that they would write of it with the firſt Conveniency to the King their Maſter.

THE *French* do treat the Communication, that they ſay his Majeſty's Ambaſſador Mr. *Montague* made to their King, of the King our Maſter's new Alliance with the States, and alſo of the Demands he is ſaid to have made, that the *Engliſh* Forces be ſent back, with their uſual Heights; and the general Opinion here now is, that this will end in a Rupture.

M. *Beverning* told me laſt Night, he had but ſome Hours before received a Letter to that Effect from the Penſioner; and it troubled him the more, he ſaid, if the War ſhould be continued, where the Thing in Difference between his Majeſty and *France* is (as he had underſtood by M. *Cannon*) within ſo narrow a Compaſs; for *France*, as M. *Cannon* reports it, comes at laſt to be content, not only to part with *Valenciennes*, but to yield up *Tournay*, upon Condition it be diſmantled. Hereupon his Reflexion was, that unleſs *France* ſhould provide by Article, that it ſhould never be fortified again, a Million of Florins would go near to make it as ſtrong as it is at this Time; and then, ſaid he, what a ſad Thing it would be, to continue ſo univerſally ruinous a War, upon a Difference ſo inconſiderable; eſpecially ſince his Letters from the Duke's Miniſters at *Madrid*, and the Speeches of the *Spaniſh* Ambaſſadors here, do ſufficiently witneſs and convince him, that *Spain* will readily accept of any Peace that *England* can procure them, rather than continue the War. For they, the *Spaniſh* Ambaſſadors, do, he ſaid, value themſelves upon the Arguments they uſe againſt the *Imperialiſts*, who ſeem to incline ſtrongly to continue the War; they remind the *Imperialiſts* of their great Want of Money, even in the moſt preſſing Occaſion; witneſs that famous one before *Philipsburgh*, when the Duke of *Lorain* was forced, out of his own private Purſe, to encourage and reward thoſe that would, and did attempt upon the Fireſhips of the *French*, without which 'tis certain that Deſign would not have taken Effect; and there were not ſo much as a few Rix-dollars, but what the Duke of *Lorain* had in the *Imperial* Army, to bring Men on at ſuch a Pinch.

ANOTHER Thing was, the *Spaniards* have put the Caſe to the *Imperialiſts*, and ask'd them, how the Emperor and *Spain* would be able to carry on the War, if *Holland* ſhould do no more for them than they are bound to do by Treaty; that is, furniſh their *Quota* with 13000 Men, and then leave them to ſhift for themſelves.

THUS he ſays the *Spaniards* do reaſon; and I muſt confeſs I think it is no more than juſt in Reſpect to the *Imperialiſts*; for in the Converſation I had on *Saturday* with M. *Kinski* and M. *Stradtſman*, they ſeem to incline to the continuing of the War at all Adven-

tures, and be in Diſquiet for that the Parliament is adjourn'd; their great Reaſon is, they expect that ſuch a Peace as this, will be broken within a Year or two; and in the *interim*, the Intrigues of *France*, in the ſeveral Courts of *Chriſtendom*, will have render'd it impoſſible to get together again ſuch a Force, as there is now on Foot to oppoſe it.

M. *Beverning* does not declare himſelf ſo much for a Peace, but M. *d'Olivenkrantz* (who gave me the Favour of a Viſit laſt Night) ſeems to be much more: He ſays, (as M. *Beverning* does at every Turn) that a Town or two, more or leſs, ſhould not ſo break Squares, as to put us out of all View, and out of all Hopes of a Peace. He hath, he ſays, Domeſtick Reaſons that work with him; for beſides the preſent ill Condition of their Affairs, there is not one Man, he ſays, that adviſes *Sweden* to enter itſelf into this War; he hath been ever ſince unproſperous in his Undertakings, and diſgraced with his King: The great Inſtance he gives, is in the Chancellor of *Sweden*; he named M. *Tott* and M. *Sparr*; and General *Wrangel* in his latter Days, for at the Beginning he was right, and all along till he had touched the *French* Money.

M. *d'Olivenkrantz*, in his Converſation, fell into a Diſcourſe of the breaking up of this Aſſembly; he thought no other Prince or State that ſhould undertake the Mediation, (he named *Portugal* and *Venice*) would be able, if this Aſſembly were diſſipated, to get together ſuch another.

He ſaid it was a Reflexion that himſelf and his Collegue had made upon the Rupture, if it ſhould happen between *England* and *France*, that they, the *Swedes*, are not ſo ſtrictly tied to *France*, but that they are at Liberty to ſtick to, and make Uſe of his Majeſty's Mediation in what concerns themſelves, with thoſe that have diſpoſſeſſed them in *Germany*, notwithſtanding the War that may be between *England* and *France*.

Besides, they the *Swedes* have a Neceſſity of having a *Proteſtant* Mediator; for that they ſuſpect *France* may have a Deſign upon the Religion of their State, to have it changed, in Complaiſance to what the Court of *Rome* hath preſs'd *France* upon that Point. And he thinks *France* is under a Promiſe to alter ſome Things in the Treaty of *Weſtphalia*, that are in Favour of the *Proteſtant* Religion; becauſe the See of *Rome* does to this Day impute it to them, the *French*, that the *Proteſtants* there have had ſo good Conditions.

M. *Heugh* was with me late laſt Night, and appeared to be in a great Affliction for a Brother of his Wife's, his Name is *Kraugh*, who living it ſeems in *Schoonen*, has had his Proceſs made by the *Swedes*, and the Sentence of Death paſs'd upon him, and is to be Executed, as having been an Accomplice with the *Suaphans*, that is, it ſeems, the *Paiſans* of that Country, that retire into the Woods, and kill any body indiſtinctly, that come in the Places they way-lay.

M. *Gioe*, he tells me, hath already moved his Majeſty, for his Interceſſion to the King of *Sweden*, for Reſpite of Execution. His Majeſty's Anſwer was, as M. *Heugh* repreſents it, moſt gracious; and it is upon the Effect and Diſpatch of it, that all M. *Heugh*'s and his Lady's Hopes do depend.

It was M. *Heugh*'s Deſire to me, that he may be laid low at his Majeſty's Feet, as one that always hath had a Zeal here, and will have it every where elſe, to pay his Veneration to his Majeſty and his Service, whereinſoever it may be accepted: That which he begs is, the Benefit of his Majeſty's moſt gracious Declaration, unleſs M. *Gioe* hath already had it; for if Execution be reſpited, and the Sentence reviewed, he

doubts

doubts not but his Brother-in-law will be able to purge himſelf, and prove innocent. M. *d'Olivenkrantz* (who, it ſeems, hath look'd ſomething into the Buſineſs) acknowledging as much, and hath done the utmoſt good Offices he was able to do, by writing to his Court in his Favour. It is certain, that M. *Heugh*'s Lady, having not heard of it till within theſe three or four Days, is in a very great Agony, (the Ignominy of ſuch a Death wounding Perſons of that Quality beyond any Accident of Life whatever) and ſhe and her Husband do ſingly and abſolutely rely upon his Majeſty's Royal Goodneſs, to relieve them in theſe ſad Circumſtances. I am, *&c.*

L. Jenkins.

Nimeguen, 31th Jan. 1677-8.

Right Honourable SIR,

SINCE my laſt, which was of the 28*th*, there hath ſcarce any Thing occurr'd here that can be worth your Notice, nor have we any Letters out of *England* ſince thoſe of the 18*th*.

I have had ſeveral Converſations with Meſſieurs *Heugh* and *Petcum* relating to the *Swediſh* Letters, but have not been able to obtain more of them than their Promiſe, that they will bring all the Facility in their Power to that Affair. M. *Petcum* I find always favourable to it, upon the Reaſon of the Thing; I mean, that thoſe who come to treat a Peace, as he is, ſhould have the Liberty of free Recourſe to their Maſter: M. *Heugh* is very much ſoftened with the Senſe he hath of M. *d'Olivenkrantz*'s good Offices, lately done in Favour of his Brother-in-law in *Schoonen*. I expect the final Reſolution of that Embaſſy ſome Time this Day, but fear it will not be ſuch as the *Swedes* will cloſe with.

M. *Heugh* was earneſt with me, in a Converſation I had lately with him, to know what the *Holſtein* Miniſters, who are now here, would be at. He would needs take it for granted, that that Duke would fain enter here as an Ally to one or more of the Enemies of the King of *Denmark*; but I maintain'd the quite contrary as well as I was able, and that he deſired to be admitted into theſe Treaties, *Firſt*, As a Prince of the Empire, that had Intereſt in the Treaties of *Weſtphalia*. *Secondly*, As Duke of *Sleſwyck*, who had the Soveraignty of that Dutchy veſted in him by the Treaties of the *North*; and conſequently, had a Right that thoſe Treaties reſpectively ſhould ſtand entire, at leaſtwiſe as to his Intereſt, he, the Duke, having not on his Part tranſgreſſed them in the leaſt.

To this M. *Heugh* objected, that the Duke had renounced all that had accrued to him by the Treaties of the *North*, and that in a ſolemn Manner, in the Agreement paſſed between him and the King of *Denmark* at *Rensburgh*: This gave me Occaſion to tell him, that the King of *Denmark* being one of the Principal Parties in that Agreement, and inſiſting that it ſhould ſtand and be made good; that, on the other Side, the Duke of *Holſtein* being the other Party, and alledging it was a meer Force and Violence that brought him to ſubſcribe that Agreement; he, the Duke, appeal'd to his Majeſty's Mediation, and deſired, under the Protection of it, to be introduced into this Aſſembly; which may debate and determine, whether or no it be not againſt Reaſon, and againſt the Law of Nations, that the King of *Denmark*, being Party in the Cauſe, and pretending to diveſt the Duke of the Soveraignty of *Sleſwyck*,

given him by ſeveral Treaties, ſhould be judge at the ſame Time how binding thoſe Treaties firſt were; and how valid, or rather void, that Renunciation was, that he, the Duke, ſigned, under a viſible Force both upon himſelf, upon his Forts, and upon his Subjects, in all the Parts of his Dominion.

HEREUPON M. *Heugh* appeal'd to the ſeveral Letters the King our Maſter had written to the King of *Denmark* upon that Subject; and when I told him, the Thing depended at this Time before his Majeſty, what Orders he would pleaſe to give me, for the paſſing or not paſſing of the Offices of the Mediation upon the *Plenipouvoir*, and the Propoſitions of the Duke of *Holſtein*; he was pleaſed to promiſe to himſelf all Favour to the King of *Denmark*, for that *firſt*, it was a domeſtick Affair, that the Agreement of *Rensburgh* hath already been decided in the fulleſt and cleareſt Manner poſſible. *Secondly*, For that his Majeſty had not interpoſed his Offices, that he, M. *Heugh* knew of, with the King of *Denmark*, but in Matters only relating to the Parties, either Principal or Allies in this War. *Thirdly*, That what pretended Advantages ſoever accrued to the Duke of *Holſtein* in the Dutchy of *Sleſwyck*, it was in a Time that was moſt ſadly calamitous to the laſt King of *Denmark*; and that it would never have been ſo, but that the Uſurper *Cromwell* did carry it on with the higheſt Hand imaginable, becauſe of the King of *Denmark*'s Affection to his Majeſty. In the Interim, I expect every Moment his Majeſty's Pleaſure, what I am to do by Way of Office upon the *Holſtein* Papers; for ſure I am, there is nothing I ought to decline more induſtriouſly, than the intimating that the Duke pretends to enter here as an Ally, either of *Sweden* or of *France*; M. *Heugh* diſcovering to my thinking, by his ſaying, that from the Pretenſions of that Duke, they, the *Danes*, are to take their Meaſures for further Security; that if he declared himſelf an Ally to any of the Parties in War, they, the *Danes*, would go near to think themſelves to have a ſufficient Right to finiſh his Ruin.

THERE has a ſingle Letter come hither from *Amſterdam*, dated on *Saturday* the 26*th*, whereby it is ſaid, that the Parliament was to be prorogued from the 28*th* now paſt, to the 11*th* of the next Month, that is a full Fortnight longer; you will eaſily imagine, what Diſquiet this raiſes with the *Imperialiſts* and *Spaniards*, who promiſe to themſelves, that the Letters which are to come hither on *Friday* next, and to bring us the Proceedings of *Monday* and *Tueſday* laſt, will bring along with them our declaring of a War againſt *France*.

THE *Spaniards* ſay, tho' Mr. *Godolphin* hath been much made of at *Bruſſels*, yet that he went without that which he came for; that he demanded *Oſtend* for a cautionary Town to his Majeſty; and that the Governour of the *Low-Countries* offered him *Newport* and *Dixmuyde*.

THE *French*, on the other Side, amongſt other Arguments, diſcourſe, that his Majeſty muſt needs come to a Rupture; and they uſe alſo this, that his Majeſty will not know well how to refuſe it, ſince it is glorious for him to enter into the War at this Time, being to have the *Brill* from the *Dutch*, and *Oſtend* from the *Spaniards*. I cannot ſay, that this comes either from the *French* or *Spaniſh* Ambaſſadors, but it comes from ſome of their principal Domeſticks; and tho' I know you have all theſe Particularities in the fulleſt and cleareſt Light they are capable of, that is in a Certainty whether it be ſo or no; yet I cannot forbear to give you Part of this that paſſes, becauſe it governs the Board here, and is the Subject Matter of ſeveral ſerious Advices, and politick Reflexions to the ſeveral Courts concerned.

JUST

JUST now M. *Heugh* calling upon me, in Order to adjuſt the Difference between him and the *Swedes*, touching their Couriers, he tells me, it is the Speculation of ſome here, that they in the *North* are in a fair Way to a Peace: If the General Peace be made, they will be ſure to be taken in; and if it cannot be General, but that *England* muſt enter into a War, and *Holland* continue in it, it will be in that Caſe their Intereſt to bring (as they may eaſily do, being joyn'd together) the *Northern* Powers, whether they will or no, to acquieſce in ſuch a Peace as his Majeſty and the States General ſhall think reaſonable to preſcribe them; for that being done, they may have the Uſe of all the *Northern* Force to be employed againſt thoſe that ſhall refuſe the Peace.

THE *Friday* Letters that came in this Day to the *French*, are reported to have nothing new in them, that King's March being not then reſolved; but the *Bruſſels* Letters make *Mons* and *Ipres* to be very much ſtreightned, and in a Manner blocked up. I am, *&c.*

L. Jenkins.

Nimeguen, 4th Feb. 1677-8.

Right Honourable SIR,

SINCE my laſt, which was of the 31*ſt* paſt, I have the Favour of yours of the 22*d*, tho' it came not to Hand till the 2*d* Inſtant; I humbly thank you for it, and am ſorry to hear my Diſpatch of the 31*ſt* of *December* is miſcarried; I cannot imagine by what Accident it was; becauſe I find that a Letter or two I writ to private Friends of the ſame Date, came ſafe to Hand in *England*.

HOWEVER, I hope the Duplicate of that Diſpatch will let you ſee, what Point of the *Holſtein* Buſineſs ſticks with me; and you'll pleaſe to imagine, I am preſs'd about his Majeſty's Directions in the Caſe; M. *du Croſs* having written thence in a Letter of the 15*th* paſt, that I ſhould know his Majeſty's Pleaſure by that Poſt, or elſe by the next at furtheſt.

I was with the *Swediſh* Ambaſſadors on *Friday*, and they with me on *Saturday*, about the free Paſſage of their Letters; that Difference between them and M. *Heugh*, with whom I was yeſterday upon the ſame Buſineſs, ſticks upon ſeveral Points; two eſpecially, that the *Dane* cannot yield to, without Orders from his Court: The one is, the *Swedes* would have their Couriers at Liberty to paſs from the Iſle of *Femeren*, to that of *Laland*, which is a Traject upon the *Belt* but of four Hours; the *Danes* would have them paſs from *Femeren* ſtrait to *Falſten*, and not come at *Laland* at all; this makes the Traject to be of eight Hours, and this the *Danes* are immoveable in; the Way being chalked from *Femeren* ſtrait to *Falſten*, in the Orders they have from Court. The *other* Point is, the *Danes* have demanded of the *Swedes* an Act in Writing, to remain with the Mediators, that their Couriers ſhall carry no Letters, but ſuch as relate to the Negotiation here, or to their domeſtick Affairs; this the *Swedes* have at laſt conſented to; but then, they ask an Act of the *Danes* likewiſe in Writing, that this Liberty ſhall be continued to them uninterrupted, as long as the Treaty laſts: Of this M. *Heugh* tells me, as well as of the former Point, he muſt write to his Court; for he durſt not preſume, he ſays, to tie up the King his Maſter's Hands, as it were, without his ſpecial Directions.

THERE

THERE is a Point or two more not worth the ſpeaking of, that the *Swedes* demand; but theſe two abovementioned being finally inſiſted on by them, and the *Dane* not impowered to yield them, the Buſineſs cannot be adjuſted till they have new Orders from *Denmark*.

IT was my humble Opinion to the *Swediſh* Ambaſſadors, that they ſhould get themſelves into Poſſeſſion of this Liberty for their Letters, by accepting of the Paſſport that the *Dane* is ready to give for their Couriers; and in the Interim, to continue their Claim to the two Points in Controverſy; and the rather, for that the main Diſpute is about Trajects, that for ought I perceive, neither the one nor the other Party are ſo well acquainted with, but that the Report of a Courier that had once gone that Way, would be of great Uſe and Light to them, and might diſpoſe the one Party or the other, to as much Facility as were requiſite; this they would not agree to, and M. *Heugh* ſays, they have a further View in it, which, I muſt confeſs, I know not what to ſay to; ſince they asked me on *Saturday*, not only to perform my Offices towards M. *Heugh* upon thoſe two Points and ſome others, but alſo to procure Paſſports for theſe Couriers from the Emperor, the *Brandenburgher*, and the States General, the Houſe of *Brunſwick*, and the Biſhop of *Munſter*, ſince their Couriers may light ſometimes amongſt the Troops of ſome of theſe Princes.

BUT when I put it to them, it puzzled them as well as it did me, to ſay, what Manner of Paſſports ſhould be asked from theſe Princes; for as it is againſt all Stile to grant one ſingle Paſſport, to we know not whom, and for we know not how many Journeys; ſo to ſend ſo many blank Paſſports hither, as the *Swediſh* Ambaſſadors are like to diſpatch Couriers (which they pretend ſhall be one a Fortnight, as long as the Treaty laſts) would be a Thing ſcarce known hitherto in Practice; but their Reſolution was, that I ſhould ſound the Miniſters of theſe Princes, that are here upon the Place; and thereby diſcover, what they will think practicable on their Part in the Caſe; of this I hope to give you an Account in my next, and to ſend you withal the Project of the Paſſport, and the Act of the *Swedes* abovementioned.

Tueſday's Letters from *Paris*, that came here to Hand yeſterday, bring the certain News of that King's March; it is not certain that he is gone for *Nancy*, but the general Rendevouz of his Army is to be at *Sedan*, which is gueſs'd here to be for the Conveniency of his moving either into *Germany* or *Flanders*, as he ſhall ſee Cauſe: M. *Meyercroon* writes to M. *Heugh*, the Day before yeſterday, from the *Hague*, that the Prince had told him that Morning, the War in *England* was as good as declared; and the Letters out of *England* of the 28*th* of *January*, *O. S.* did in a Manner ſpeak as much, *France* having rejected all Terms of Accommodation; but we have no *Engliſh* Letters yet of that Date come hither, and I fear we ſhall not till *Wedneſday*, tho' I find that Mail, and the former of the 25*th*, arrived at the *Brill* on *Saturday* Morning. I am, *&c.*

L. Jenkins.

Nimeguen, 7th Feb. 1677-8.

Right Honourable SIR,

MY laſt was of the 4*th*. Yeſterday brought me the Favour of two of yours, the one of the 29*th* paſt, and the other of the 1*ſt* Current; for both which, as alſo for his Majeſty's moſt gracious Speech

in

in Parliament, and for the Journals that came therewith, I moſt humbly thank you.

I ſhall beg Leave ſtill to obſerve unto you, the Diſadvantage we are under (I am not alone in it), in that our Letters do not come by the Way of *Amſterdam*; for thoſe *Engliſh* Letters of the *25th* and *29th* that came that Way, (as the *Holſtein* Miniſters had of both Dates from M. *du Croſs*) were delivered here on *Saturday* at Noon; thoſe that came ſtrait here directly from the *Brill*, ſtuck at *Utrecht*; and becauſe they did not arrive there Time enough to be taken up by the *Amſterdam* Extraordinary, they were not diſtributed here till yeſterday at nine a Clock; ſo that thoſe Miniſters could tell every Thing on *Sunday*, that had paſs'd the two firſt Days in Parliament, and ſo could as many here as had Letters from Merchants at *Amſterdam*; but all other Ambaſſadors, as it happened, knew nothing of Certainty, no more than myſelf, till yeſterday Morning.

M. *Ulken* being with me on *Tueſday*, in Hopes that I had received by your Letters, of the *25th* or *26th*, his Majeſty's Orders, to perform my Offices with the *Dane*, in the Affair of that Duke, told me, that tho' there was a Probability of a Rupture between us and *France*, yet that his Majeſty's Mediation in the *North* will ſtill ſubſiſt.

That the *Northern* Kings will now eaſily be reconciled; for that *Sweden* can do no great Matter, and the *Dane* will not be able to take the Field this Year, *Lunenburgh* having refuſed him their Troops; nor will all that he hopes from *Munſter* ſtand him in any great ſtead. That the Houſe of *Brunſwick* will take a Sum of Money inſtead of their Conqueſt; but that the Elector of *Brandenburgh* will *opiniâtre* himſelf to the utmoſt, rather than part with *Stetin*; however, that all thoſe Parties will readily hearken to any Thing his Majeſty ſhall propoſe at this Time. That the Duke of *Holſtein* would very readily imploy himſelf with the *Swede*, to diſpoſe him to all Compliance with his Majeſty's Deſires; he did not own that he had Orders to advance any Thing of this; but methought he delivered it, as having ſomething more in it than his own private Judgment.

Yesterday was with me M. *d'Olivenkrantz*, deſiring my Cover to a Letter of theirs of great Importance, as he ſaid; which I recommended to Sir *John Paul*; he deſired he would return it back again, unleſs he could be aſſured it would be delivered to the Commandant at *Elzingburg*. After this, and the Communication of the News of the Day, he told me, that the King his Maſter had given him a Commiſſion to take a Journey into *England*; that he would have done it when he came from *Schoonen*, and as he arrived at *Amſterdam*, but that he underſtood there, and hence likewiſe, that Things were not yet come to any Ripeneſs; that ſince he had written to M. *Leyenberg*, and that Envoy had moved his Majeſty, ſo as to intimate to him, that M. *d'Olivenkrantz* would wait upon his Majeſty at that Time he ſhould underſtand to be moſt ſeaſonable; which he hoped Sir *John Leyenberg* would be able to diſcover, by ſuch Means as his Majeſty would be pleaſed to allow of: That his Majeſty had hereupon given him a very gracious Anſwer; and that he, M. *d'Olivenkrantz*, waits for that happy Diſcovery, but deſired, in Confidence, that I would write a few Words of it.

That which induced the King his Maſter, he ſays, to give that Commiſſion, was the Conſideration of the Danger that the *Proteſtant* Religion is in, both by the preſent Deſigns of *France*, and by thoſe of the Houſe of *Auſtria*; and therefore that the King his Maſter would willingly concert betimes with his Majeſty, the Means that ſhould be moſt

moſt proper for the Preſervation of it; and that he, M. *d'Olivenkrantz*, is particularly inſtructed to that Effect.

ANOTHER Motive of this Voyage is, that the Time now drawing on to renew the League between *England* and *Sweden*, he hath Inſtructions for that Purpoſe, that are ſuited to the preſent Circumſtances and Conjuncture of Affairs. He could not tell me any Thing, he ſaid, of the Reflexions of the *French* Ambaſſadors upon his Majeſty's Speech, that firſt appeared Abroad yeſterday; but that M. *d'Avaux* had told him, Things were now gone too far to hope for any Accommodation.

LATE in the Evening yeſterday, *Don P. Ronquillo* favoured me with a Viſit, to tell me, at firſt Sight, that he hoped we ſhould now become Allies: This gave me Occaſion to tell him, that for ought I perceived from his Majeſty's own Words in Parliament, and from the Anſwer that is ſaid to have been given to Mr. *Godolphin*, we had not ſo much as were to be wiſhed, to build upon in that Alliance. He ſaid, he knew nothing of Mr. *Godolphin*'s Journey or Meſſage, until he received from *Bruſſels* the Anſwer that the Duke *de Villa Hermoſa* had given upon his Propoſitions; that they had ſent the Thing to their Court, as they had had it repreſented to them, but without making any Reflexions, much leſs paſſing any Judgment of their own upon his Majeſty's Propoſals, or the Anſwer of the Duke *de Villa Hermoſa*. The great Fear he would ſeem to be in is, that we in *England* are not ſincere, (that is his own Expreſſion) nor in good earneſt, to make a War againſt *France*. When they, the *Spaniards*, are ſatisfied we are in good earneſt, we ſhall then find *Spain*, he ſays, to joyn effectually with us in any Thing we can deſire.

I make Account that the Letters for his Highneſs the Prince Elector *Palatine*, and the Elector of *Brandenburgh*, will be forwarded by their Miniſters here on *Friday* Night; but I muſt beg your more particular Directions for the Letter to the Elector of *Bavaria*, in Regard he hath no Miniſter at all, nor never had in this Place.

HEREWITH incloſed go five ſeveral Papers, whereby you will ſee what hath lately paſs'd between the *Dane* and the *Swede*, in Reference to the free Paſſage of the *Swediſh* Letters. I am, *&c.*

L. Jenkins.

Nimeguen, 11*th Feb.* 1677-8.

Right Honourable SIR,

SINCE my laſt, which was of the 7*th*, we have no *Engliſh* Letters come to Hand, tho' we think here the Wind to have been fair enough for them.

ON *Friday* I delivered his Majeſty's Letter for the Prince Elector *Palatine*, to his Miniſter M. *Spanheim*; he was pleaſed to tell me upon the Subject Matter of it, (the *Gluckſtadt*-Toll) that a Twelvemonth ago this Buſineſs was brought into the Elector's Privy Council, when he, M. *Spanheim*, happened to be preſent: His Electoral Highneſs was then inclined not to oppoſe it; that is, *obſervatis obſervandis*; provided thoſe who have an Intereſt be heard according to the Capitulation in this Caſe, before any Thing be determined; that the Elector having for his Part but the laſt Voice, was not like to come to a caſting one. On the other Side, that the Elector of *Brandenburgh* having preſs'd him as much, or rather more than the King of *Denmark* had done, to give his Suffrage for this Toll, he thought, he was not to deny it, if the Thing,

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the Parties intereſſed being fully heard, and making appear any Reaſon to the contrary, ſhould be found reaſonable by the major Part of the Electoral Colledge, his Highneſs being ſollicited in the Buſineſs all that can be poſſible by the Elector of *Brandenburgh*, as well as the King of *Denmark*, and having a Siſter of that King at this Time in his Houſe.

M. *Spanheim* ſeem'd to think, that the great Streſs would lie upon the Oppoſition that ſhould be made againſt the Toll; he thought that if the Circle of *Baſſe-Saxe* might be engaged to oppoſe it as a Grievance, the Check that they ſhould give to it would go near to ſtifle the Thing; but the Houſe of *Lunenburgh*, that has a Share in the Directions of that Circle, being concerned to juſtify a new Uſurpation of their own of the ſame Kind at *Carleſtadt* upon the Right of *Weſer*, they will rather favour this Exaction than oppoſe it; the Town of *Hamburgh* may do ſomewhat, but their Intereſt in the *Baſſe-Saxe*, and in the Electoral College, may not be great enough for this Buſineſs: That the Eccleſiaſtical Electors, and *Bavaria*, have no Intereſt to favour this Affair; and therefore that it is not like to ſpeed, but to meet with ſome further Checks and Delays.

The ſame Day I delivered his Majeſty's Letter for the Elector of *Brandenburgh*, to M. *Blaſpiel*; he, M. *Blaſpiel*, being immediately to go out of Town as far as *Utrecht*, to meet M. *Roomſwinckle*, and from thence in all Appearance to the *Hague*; his Highneſs the Prince of *Orange* deſiring to ſpeak with him or his Collegue M. *Somnitz*, he did not enter into the leaſt Diſcourſe with me about the Toll, excuſing himſelf that he was to go to *Arnheim* that Night. Yet one Thing, he ſaid, he would not omit to tell me, which was, that there are thoſe that are not ſatisfied (he would not name them) with the Addreſs of the Houſe of Commons to his Majeſty, in the two Points of the *Pyrenean* Treaties, and of the *French* Commerce. The Terms of the *Pyrenean* Treaties, which were the moſt ſolemn that were ever made, and upon the Performance of which that great Marriage was founded, which otherwiſe never would have been, were Terms indeed that would have been very honourable and ſafe, but ſays, he cannot hope to live to ſee them re-eſtabliſhed by a War; and eſpecially a War that hath ſo many leading, and conſequently divided Heads in it, as this hath: Therefore that to ſee thoſe Treaties reſtored, is a Thing that may be wiſhed for, but cannot be hoped for with any Reaſon.

As for the *French* Commerce, he ſaid, there was a general Luxury got over all *Germany*; that the City and Court of *Vienna* have more of the *French* Gugaws imported, than are exported of that Country Commodities into *France*, to the Value of ſeven Millions of Florins a Year: That tho' the Emperor ſhould be able to redreſs all this, as the Emperor does do all he can poſſibly at this Time by his Placarts and Executions, and hath done it of a very long Time by his Perſonal Example; yet that the *French* Wine hath been ſo long and generally uſed, that it is not to be imagined that this Age can be reform'd to ſuch a Degree as to live without it.

M. *Beverning* diſcourſing to me laſt Night upon the ſame Subject, I mean that of the Addreſs, had his Reflexions likewiſe; it was, that tho' this Country might be content to be without *French* Wine, yet their Navigation and diſtant Plantations could never be without the Brandy of *France*, all that they make here growing uſeleſs and ſowre in compariſon where the Voyage is long.

M. *Cannon* the *Lorain* Miniſter, gave me a Viſit on *Friday*, being return'd from the *Hague* but the Day before, where he had been to

haſten his Collegue M. *Scrinchamp* for *England*; he ſays the Generality of People there do blame the *Spaniards*, for not cloſing ſooner with his Majeſty's good Intentions, who might two Years ago, and even a Twelvemonth ago, have procured a better Peace for them than now can be had; that the *Spaniards* do upon this throw the Blame upon M. *Van Beuninghen*; for that being privy to his Majeſty's Intentions, he did not acquaint the *Spaniards* with it; but he added, that the Generality of the *Hollanders* do promiſe themſelves a Peace infallibly, upon what the King and his Parliament have done; and that they would not have the War continued for 2 or 3 Towns in the *Low-Countries*.

M. *Colbert* favouring me with a Viſit on *Saturday* Night, began with bemoaning the Heights that Things are come to at this Time. That which he takes for granted in his Diſcourſe is, that they would have been very well content to let *Conde* and *Valenciennes* go, and had no further Aim, as they themſelves give out, than to have *Tournay* demoliſhed.

He did not believe the King his Maſter would have ever been brought to part with *Tournay*, the ancient Patrimony of the Crown of *France*; but that he was ſorry to find all Temperaments are now rejected in *England*; and the very Truce which the King his Maſter propoſes is rejected, tho' the Truce be offered without any Condition at all; the *Dutch* being to ſign and enter into it preſently, upon Suppoſal that the Emperor, the King of *Spain*, and the reſt of the Allies, would acquieſce in the ſame, and that in the mean Time the Peace ſhould be treated. He told me, the Courier that brought this Propoſition of the Truce, parted from *Paris* the 23*d* of *January O. S.* and arrived in *London* the 28*th*, the Day the Parliament was adjourned to; this refuſing of the Truce is a Thing that M. *d'Avaux* had complain'd to me of in the Morning of the ſame Day.

Another Thing M. *Colbert* told me was, that the Subjects of this State would be content with any Peace, and do moſt earneſtly deſire it; and that the Allies in their Aſſembly, according to the Account they, the *French* Ambaſſadors, have of what paſſes there, have declared, they would be very well pleaſed with a General Peace, upon thoſe Terms that *France* hath offered it to his Majeſty. That *Don Juan* makes no Secret of the Neceſſity that *Spain* is under at this Time, to accept of a Peace upon any Terms; it being impoſſible, as *Don Juan* ſays, in a leſſer Time than ten Years, to bring that Monarchy out of the Diſorders and ruinous Condition it is now in.

He did enlarge much after his uſual Manner, in valuing thoſe Five Places the King his Maſter hath offered to part with in *Flanders*; but he added, that when the Reſtitution of *Lorain* had its juſt Eſtimate likewiſe, all reaſonable Men would think *France* had done much more than could with any Colour be expected from it, by way of Reſtitution, in order to this Peace.

He ſaid, among other Things, that they were not ſo fond of *Tournay*, but they would be content to take a good Equivalent in lieu of it, he named *Luxemburgh*; and for *Lorain*, he ſaid, they meant ſo fair, that if they had conquered all *Sicily*, they would have given it to that Duke, provided that the *Spaniards* would aſſign him their Intereſt likewiſe, and have taken *Lorain* inſtead of it; which would have taken away all Cauſe of Jealouſie from the King our Maſter, of the growing Power of *France* in the *Mediterranean* Sea.

I know

I know how intolerable a long Letter is to you in Parliament Time; yet I ſhould think my ſelf wanting to my Duty, if I did not give you the Detail of theſe Converſations, for that I am afraid the *French*, who have no Mind to a Peace, and the Allies, who are weary of the War, may happen to conſpire in this one Thing, that is, to lay the Odium of continuing the War upon his Majeſty, or upon his Parliament, or upon both.

How diſadvantageous ſuch an Impreſſion would be, I perfectly ſubmit to you, that ſee further than I do, what we are to hope from our Allies, and to expect from our Enemies; but if thoſe Things which the Parliament deſires his Majeſty would pleaſe to ſtipulate from the Allies, do not prove in themſelves to be practicable, we had need to be ſure, that we are able to carry on the War to better Effect, than all the Allies jointly have hitherto been able to do; for if we ask of them unpracticable Things, I fear they will not come in, and ſtick cloſe to us, and then it will be the Game of the *French* to bring them to make their Peace ſeparately, with this great Argument, that we have refuſed thoſe very Terms that *Spain* and *Holland*, for Inſtance, would have acquieſced in.

One Word more, I muſt not forget in M. *Colbert*'s Converſation; it was, ſpeaking of the Difficulties his Majeſty would have to get *Sweden* reſtored entirely as it pretends to be . . . . . I mention it, becauſe I am perſwaded, they, the *French*, have an Intrigue with that Embaſſy here, as they have, I doubt not, with the Houſe of *Brunſwick*. I am, *&c.*

L. Jenkins.

Nimeguen, 14*th Feb.* 1677-8.

Right Honourable Sir,

I Have nothing to add to my laſt, which was of the 11*th*, beſides my humble Acknowledgments of the Favour of yours of the 8*th* Current, which came to my Hands yeſterday, together with the *Engliſh* Letters of the 5*th*; theſe brought us his Majeſty's Anſwer to the Addreſs of the Houſe of Commons. I ſhall not be able to tell you any Thing by this Ordinary, of what the Miniſters Reflexions here may be upon it; for my Part, it grieves me to the very Soul, that his Majeſty hath been forced to ſhew a Reſentment of that Degree; but then, ſince it was to be done, it is done to all Purpoſes like a wiſe and great Prince, and like a true Father to his People, letting us ſee fully, what is our Duty, and what is his Reſolution.

I told you in my laſt, Madam *Heugh* is arreſted with the ſad News of her Brother's being executed; however, the Favour his Majeſty intended to her Husband, will be nevertheleſs an Evidence of his Royal Goodneſs, and will throw upon M. *Gioe* the Shame of betraying his Fellow-Miniſter, in a Buſineſs that went ſo near his Heart. What concerns the Duke of *Holſtein*, I ſhall be ſure to execute the next Moment of Leiſure M. *Heugh* has to give me, which I ſuppoſe may be as ſoon as this Poſt is gone.

You are pleaſed to take notice in your laſt, you had received mine of the 14*th* and 12*th* of *January*, together with the three following between thoſe of the 14*th* and 12*th*. I writ one of the 17*th*, which I take leave to mention, becauſe it may be miſcarried, as well as another a Fortnight before; the main Thing in it, was an Account of a Con-

verſation I had with M. *Colbert*, which I took then to be of ſome Moment: If I may know that the Conveyance of our Letters is of late become leſs ſure, we ſhall take the more Pains here to put Things into Cypher.

I have juſt Time enough to tell you, I have been with M. *Heugh*, who, with Tears in his Eyes, acknowledged the Graciouſneſs of his Majeſty's Intentions in Favour of his Brother in Law, as humbly and heartily, as if the Thing were capable of the good Effect his Majeſty meant; but his Brother was ſhot to Death the 18*th* of laſt Month, Old Style.

BEING to paſs my Offices with him in the *Holſtein* Affair, and having opened the Buſineſs, he excuſed himſelf from receiving the *Pleni-pouvoir*, and the Propoſitions that I had in my Hand, and offered him; his Reaſon was, that he durſt not do it, till he had conſulted with his Collegue; for they having expreſs Orders not to enter into any Negotiation with that Duke, he did not know but that the accepting of ſuch Papers might amount to an entering into the Buſineſs; he deſired he might not, on the other Side, be underſtood to refuſe them; only he deſired this Reſpite might be taken by him without Offence, ſince it was in Order to deliberate with his Collegue upon this Preliminary: He touched one Word, which I think is at the Bottom of all, it was, that if the Duke would declare himſelf to be a Party to the War, they would not oppoſe his Admiſſion. I remain always, *&c.*

L. Jenkins.

Nimeguen, 18*th Feb* 1677-8.

Right Honourable SIR,

MY laſt was of the 14*th*; ſince which, I have not the Favour of any from you to acknowledge.

ON *Saturday*, M. *Beverning* came to me in a great Alarm, bringing with him a printed Copy of the new Treaty between his Majeſty and theſe States: It was printed at *Frankfort*, the *Latin* in one Column, and *High-Dutch* in the other.

THAT which troubles him in it is, that the ſeparate Article relating to *Lorain* comes too light; and that therein it appears, that they, the *Dutch*, do not ſo fully comply with their Obligations to that Duke. It happens, he ſays, that this Point is a Copy of the firſt Treaty, bearing date the 31*ſt* of *December*, *O. S.* and not of that that hath been ſince exchanged, and is the true Treaty. But the ſeparate Article, as to *Lorain*, is the ſame in both; this Print, he ſaid, a publick Miniſter had put into his Hand, being the firſt that was yet come to this Town; the *German* Poſt of yeſterday, will have probably brought a great many more of them, tho' we do not yet hear of them.

THAT which he intended to do, he ſaid, would be to aver, when more Copies ſhould be produc'd, and objected to him, that the true Treaty is of a latter Date, and that this Print cannot be it; he concludes it muſt be ſome of the Members of the States General that muſt have divulged this; that happens ſometimes among them, ... (that was his Expreſſion) but never amongſt the States of *Holland*; and tho' it may ſerve for an Anſwer for the Time, that this Print is not the true Copy; yet he gives it for granted, that

that he that againſt his Oath publiſh'd the firſt, will have no Scruple to publiſh the ſecond, when it comes to his Hand.

He went from me with a Reſolution to perſwade M. *Cannon*, to go forthwith to the *Hague*, to ſee there what M. *Scrinchamp* may be beſt directed to move for in *England*, to repair this Fault; he was Writing, he ſaid, to the Penſioner about it, looking upon this Diſcovery as a Thing that *France* would take Advantage of, and will blemiſh the Credit of the *Dutch*. In a Word, the Alarm he ſeemed to be in was very great.

Last Night M. *d'Olivenkrantz*, in a Viſit he gave me, complain'd very much of ſome Repreſentations that had been made by M. *Barillon* on that Side, wherein there is a great deal of Wrong done, not only to him and his Collegue, (in whoſe Name likewiſe, he ſaid, he was come to ſpeak with me) but alſo to the King their Maſter, in this preſent Conjuncture of Affairs.

One Thing is, that they, the *Swediſh* Ambaſſadors, are reported in *London*, to have rejoyced very much, that the *French* King had inſiſted upon an entire Reſtitution to be made to *Sweden*, in the Peace that is now in Treaty; nay, that they had ſaid further, that that King had Reaſon not to make a Peace at that Time; this laſt, they ſaid, is quite contrary to their Judgment; and for their rejoycing, it could be neither great or little, upon the Occaſion that is pretended; for they never had any certain Information of what *France* had demanded or inſiſted on in the Behalf of *Sweden*; all that they ever heard of it was, that the *French* Ambaſſadors told them once, and that in general Terms, that the Moſt Chriſtian King would have the Reſtitution of *Sweden* enter into the Treaty that ſhall be ſet on Foot, as a Condition, *ſine qua non*, &c. that they thereupon thank'd them, the *French*, for the Communication, and told them, the King of *Sweden* would be well pleas'd with the News, when he ſhould know of it; and would, they doubted not, acknowledge it himſelf: This is all the rejoycing that they can be ſaid to have had.

But that which troubles M. *d'Olivenkrantz* and his Collegue too, above all Things, is, that M. *Barillon* himſelf ſhould give out, (and this they ſay they have from very good Hands) that the King of *Sweden* hath taken an Oath, not to do any Thing at any Time, without the Knowledge, even without the Conſent of the *French* King; nay, which is much more ſtrange, if we ſhould believe it poſſible to be, that the King of *Sweden* hath proteſted, that if he ſhould loſe his Kingdom in this Quarrel, he would be content to command an Army in *Germany* as a General.

This laſt Thing, M. *d'Olivenkrantz* ſays, is too abſurd to find Credit with any Body; but to the King of *Sweden*'s making any ſuch Oath, as is pretended, M. *d'Olivenkrantz* deſires it may be obſerved, that Kings are not uſed to make an Oath, but upon reciprocal Terms the one with the other; and that the King of *Sweden* is obliged to no more, but to make good his Part of the Treaty with the *French*, they making good their Part.

If it be true, that M. *Barillon* ſpreads ſuch Reports, as the *Swediſh* Ambaſſadors do perſwade themſelves he does, M. *d'Olivenkrantz* takes it for granted, that it is high Time for them to oppoſe and confute all they can ſuch Surmiſes and Calumnies. It is for that End, that M. *d'Olivenkrantz* came, he ſaid, to make this Overture to me, and withal to diſclaim all ſuch Reports, whether they came from this Place of *Nimeguen*, (as he ſuppoſes it very much) or from otherwhere, into

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England; they aver them to be groundleſs and falſe; and deſire that his Majeſty, his Miniſters, and his Parliament, would do that Right to the King of *Sweden*, and to them his Ambaſſadors likewiſe, as to believe they will not in any Thing be againſt the Peace of *Chriſtendom*, and that it may preſently return into it.

M. *d'Olivenkrantz* Conjecture was, that theſe Reports are ſet on Foot, upon a Suppoſition that *England* and *France* are to come to a Rupture; for the *French* do conclude, that in that Caſe, it will be one of his Majeſty's firſt Cares and chief Endeavours, to make Peace in the *North* as ſoon as is poſſible; therefore the *French*, in Order to diſappoint all ſuch Hopes, do endeavour to make all the Impreſſions poſſible in *England*, that the King of *Sweden* will never be brought to make any Peace, but ſuch as *France* ſhall like of, and be comprehended in as Party principal.

Another Thing that M. *d'Olivenkrantz* hath from *England* is, that M. *Barillon* hath expreſs'd himſelf, that *France* would be content there ſhall be a Truce in the *North*, but it is not its meaning, that that Truce ſhall end in a Peace; therefore that the Treaty that the *French* do now deſire, and ſo much value themſelves upon the Offer they have made of it, will prove at laſt (ſince it is a long one they would have) to be a meer Amuſement; and that no Truce can have a Tendency to the Repoſe of *Chriſtendom*, but ſuch a ſhort one, as ſhall be no longer than is neceſſary to compile together the ſeveral Parts of a general Treaty; that ſuch a ſhort Truce is not to be conſented to, till the groſs of Affairs be firſt agreed on, and that with Certainty and beforehand.

On *Saturday* Morning, we loſt here M. *Somnitz*, Chief of the *Brandenburgh* Embaſſy; he had been ill for ſome Weeks, with an old Rupture in the Navel, being a repleat Body; to that was added an Aſthma, and great Pains from the Gravel: He died in great Reputation of Probity, as well as Sufficiency. M. *Oxenſtiern* takes this Day a Turn to *Amſterdam* about his private Affairs.

Don P. Ronquillo, and others, give out, there is a new Engagement between the *French* and the *Swedes*, and theſe laſt are to receive a Million of Money upon it; this Report M. *d'Olivenkrantz* acknowledges to be ſpread at the *Hague* as well as here, but ſtiffly denies the Matter. He ſeems to think, that if the Peace in the *North* be before that, between the *Spaniards* and *France*, he ſhall think it worth his while to paſs over into *England*, he having a perfect Underſtanding of all the Intrigues of the Houſe of *Brunſwick*, *Denmark*, and *Brandenburgh*; for he ſays, the Houſe of *Brunſwick* ſets up for a new Electorate.

It is given out here, that the King of *Denmark* has expreſly ſtipulated, that his Ambaſſadors ſhall give the Ambaſſadors of the Houſe of *Brunſwick* the ſame Treatment that is given to the *Electoraux*; but this M. *Heugh*, in a Viſit he gave me laſt Night, expreſly denies, the King his Maſter having ſtipulated nothing, but to acknowledge the *Jus Legationis* in thoſe Princes; and as for the Treatment, all he has promiſed is, to give them the reſt of thoſe Honours they pretend to; but he will by no Means be brought to the other; but that it ſeems they expect from *Spain*, and they have had ſome favourable Anſwer from the Duke *de Villa Hermoſa*.

Yesterday M. *Heugh* came to tell me, that he deſired, in an humble Manner, to be excuſed towards his Majeſty, in that he does not find himſelf at Liberty to take the *Holſtein* Propoſitions and Powers from my Hands.

Firſt,

Firſt, For that they, the *Danes*, have moſt expreſs Orders not to enter into any Manner of Negotiation with the *Holſtein* Miniſters.

Secondly, For that they hope his Majeſty may pleaſe, from what the King of *Denmark* hath writ to him, to ſatisfie himſelf that the *Holſtein* Affairs are to be decided in another Place, where his Majeſty's Interpoſition will meet with all Reſpect and Deference; and this Place is intended for the Parties in War to treat, and no other.

Thirdly, That his Majeſty hath given ſo favourable an Anſwer ſome while ſince upon M. *Gioe*'s Applications, that they, the *Danes*, cannot think it is his Majeſty's Meaning, this Difference ſhould be treated otherwiſe than as a Domeſtick Affair, and in the Way and Manner long ſince agreed to by both Families.

Fourthly, That tho' they expect no Anſwer from their Court, that ſhall give them Way to enter ſo far upon the Borders of a Negotiation, as to receive the Papers I offered him; yet in Regard I had paſs'd my Offices with him upon this Occaſion, it was incumbent upon them to write, and know the Pleaſure of their Court; and therefore he hoped that it would not be taken amiſs, that they excuſed themſelves from receiving the Papers till they have an Anſwer.

I preſs'd him to take the Papers *de bene eſſe*; for they could not (ſtrictly ſpeaking) write about them, much leſs anſwer upon them categorically, unleſs they firſt ſaw what they contained; but this they would not do. I remain, *&c.*

L. Jenkins.

Nimeguen, 21ſt Feb. 1677-8.

Right Honourable Sir,

SINCE my laſt, which was of the 18*th*, we have no Letter out of *England*, nor have I the Favour of any from you ſince the 8*th* Current.

M. *de Gurck*, in a Viſit I gave him yeſterday, fell preſently upon the Treaty Printed at *Frankfort*, whereof I gave you an Account in my laſt. He told me of another of the ſame Tenor, Printed at *Hamburgh*, he would needs know my Judgment upon the Authentickneſs of that Print, and particularly asked me, whether there were not a latter ſince?

I told him, I had never received any Copy either of the one or of the other from Court; but that I had certain Circumſtances that convinced me fully that the Treaty between his Majeſty and the States was rather of the latter Date, than that of the Print which was of the $\frac{31\text{ Dec.}}{10\text{ Jan.}}$ this he acknowledged might be true, but ſaid, that if the laſt and true Treaty had the ſame Things in it touching *Lorain*, as the Print had, it was a Prejudice moſt abſolutely irreparable to that Duke; for as ſoon, ſays he, as the *French* Miniſters ſhall perceive there is an Alternative in the Caſe, they will be irremoveable from that Side of it which makes moſt for the Depreſſion of that Duke.

I took Leave to tell him, that ſuppoſing there were ſuch an Alternative, it could not be found Fault with in the preſent Circumſtances; for that more was done for this Duke of *Lorain*, than ever the Empire and *Spain* could do for his Predeceſſor, either in the Treaty of *Munſter*, or in that of the *Pyrenees*.

To ſpeak nothing of the *Pyrenees*, which was in the Abſence of the Duke, and while he was a Priſoner in *Spain*, it was moſt certain, that in the Treaty of *Munſter*, *France* choſe rather to break with *Spain*, and not

not to make up their Differences with that Crown, jointly with their old Allies the *Dutch*, than to reſtore the Dutchy of *Barre*, the Marquiſate of *Nomency*, *Clermont*, *Stenay*, and *Jametz*, and to reſtore *Nancy* and ſome other Places undemoliſh'd; and whereas they, the *French*, ſubmitted all Points in Difference (they were ſince over and above that of *Lorain*) to the Arbitration of the then Prince of *Orange* and the States General, yet they would never frame themſelves to ſubmit this Point to them, whether *Nancy* ſhould be reſtored fortified or not fortified? Nor whether it ſhould be old *Lorain* alone that ſhould be reſtored, and not the more modern Acquiſitions, which *France* were reſolved to keep to themſelves, I mean the Dutchy of *Barre*, the Marquiſate of *Nomency*, *Clermont*, *Stenay*, and *Jametz*; which the *French* at this Time, as far as I can perceive, are content to reſtore.

He ſpoke little to that Part of the *Munſter* Treaty, but concluded, that if the Duke of *Lorain* was reſtored on ſuch Conditions, he might be fetch'd away at any Time to the Baſtile in *Paris*; beſides, that the Empire would have no Manner of Cover on that Side, wherein it was moſt concern'd to have it.

Yet it is obvious enough, that if *France* at that Time, I mean in *January* 1647-8, when it was running as faſt as it could go into Civil War, and when the Finances were in the greateſt Diſorder poſſible, in a War declared againſt *Spain* ever ſince the Year 1635, but carried on againſt it and the Empire underhand almoſt 20 Years before, held the then Duke of *Lorain* to ſuch hard Terms, it is hardly to be expected they can now be brought to more favourable ones, than thoſe in the worſt Side of the Alternative: His Anſwer was, that the Duke of *Lorain* being a Prince of that Merit all the World allows him to be of, deſerves a better Treatment; and ſince this Print is but a ſpurious Copy, he hopes that the Applications of M. *Serinchamp*, (who was adviſed by the laſt Poſt, of the ſeparate Article that concerns the Duke his Maſter) will come Time enough to obtain of his Majeſty to alter that Article as it is now penn'd, to interceed more effectually for a Prince that deſerves ſo well.

M. *de Gurck* could not forbear taxing the States for having ſo ſmall a Regard of the Duke, but much more for Treating about a Peace, without firſt communicating with their Allies in the War; and when I told him, that I ſuppoſed they had ſatisfied the Miniſters of the High Allies that reſided with them at the *Hague*, of the Reaſon why they did not impart to them the Treaty with *England*; he ſaid, it was true they had wheedled thoſe Miniſters with Pretences, that his Majeſty's Ratification was not yet come; but now it appears, thoſe were but meer Excuſes.

From this Theam, he paſſed to that of the Parliament, ſaying, he found nothing in their Addreſs but what was extreamly agreeable to the Intereſt of *England*; he did acknowledge nothing could be anſwer'd to that which his Majeſty in his Anſwer minded them of, touching the Terms of the *Pyrenean* Treaties; but he told me, he finds the *Hollanders* do declare themſelves abſolutely, that if his Majeſty do, according to the Propoſitions in the Addreſs, break off the Commerce with *France*, they, the *Dutch*, can, and will do the like; but I deſired him to inform himſelf ſomewhat more particularly of the mighty Trade *Holland* drives with the *French* Wines in the *Baltick* Sea; and how they cannot ſerve the Plantations of this State in ſeveral Parts of the World with Brandy, unleſs they have it out of *France*; and then to judge on this Side, how practicable ſuch Interdictions ſhould be: But to theſe Particulars he did not ſeem to have much to ſpeak.

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I perceive that he is not well pleaſed that Things in Parliament go on ſo ſlowly towards a War; and the News he hath out of *England* tell him, that they have ſlackned their Pace ever ſince his Majeſty's Anſwer was put in. He ſeems much of Opinion, that in Compliance with the Bill the Journals of the Houſe of Commons ſpeak of againſt *French* Manufactures, the Empire may be brought, and is ſo already, to be content with their own; and gave ſeveral Inſtances of *Frenchmen* that are come to work in *Germany*, now that they ſee *French* Wares are forbid.

His laſt Wiſh was, that if *England* would not make a good Peace for *Chriſtendom*, it might enter vigorouſly into the War; but he cannot, he ſays, be perſwaded, that any Peace but a plaſtered one can be made at this Time. He would needs perſwade himſelf, that there was ſome Kind of Agreement between his Majeſty and the *French* King, that no hoſtile Thing was to be done on the *French* Side till the Beginning of *March*, *N. S.* but that which he repeated pretty often was, that it was a hard Caſe they, the Emperor and Empire, who are principally concern'd in the War, ſhould have a Peace projected for them, and they all this Time know nothing of the Particulars; and he did not conceal an Apprehenſion he had, that *England* and *Holland*, if they have been able to ſecure the *Spaniſh Netherlands* ſo far, as that no Place in them be attacked this Spring, they will be the leſs concern'd for the Attempts that may be made upon the more diſtant Places belonging to the Empire. Thus he.

There are Reports in Town, that the *Spaniards* have already underhand made their Peace with *France*; and that *France*, whenever the Peace comes to be treated, will endeavour to get into the Empire as a Member of it, in virtue of their Right in the *Franche Comte*, and conſequently in the Circle of *Burgundy*.

The *Swedes* give it out here, that Count *Antoine* of *Aldenburgh* is to go over Ambaſſador Extraordinary into *England*, what Ground there is for this, I cannot yet find out.

Just now at 11 of the Clock, M. *d'Eſtrades* gives me the Favour of a Viſit, and tells me, his Letters that were come in this Morning adviſe, that *Charlemont* is beſieged for certain, and *Namur* not improbably inveſted at the ſame Time: This, he ſaid, would certainly bring a Breach between *England* and them: That the King his Maſter is not in a Condition to be forced by any Power to make a Peace; that he has 200,000 Men well paid, all his Places well provided, and that without any new Impoſitions upon his People, but what are very eaſy and almoſt inſenſible; and ſo the War may be continued a long Time, without burthening them more than they are at preſent: This is his uſual Diſcourſe every where; and when I told him that it was a great Pity the War ſhould be continued for a Town or two, and all *Chriſtendom* laid waſt with its Flames, rather than *France* ſhould part with *Tournay* and *Valenciennes*; he ſaid, we had as good demand *Paris* as *Tournay* from his King.

Being at M. *Beverning*'s, to paſs an Office juſt now for a Paſſport to the *Swediſh* Couriers, in caſe that Buſineſs ſhould finally be adjuſted, I found him ſtill troubled at the Printing of the Treaty. M. *de Balbaſes* had been with him yeſterday, to make a ſolemn Complaint, that *Sicily* was to remain in Pawn till the *Swedes* were reſtored; ſo that, ſays he, we ſhall have Complaints from all the Parties, that we have not done enough for them. For ought I know, they ſpread this Matter the more to inflame the Diſcontent of the Allies; for I know for certain,

that one of M. *de Gurck*'s Domeſticks offered this *Frankfort* Copy two Days ago to a Bookſeller here, in Order to have it reprinted.

JUST now M. *Blaſpiel* was with me, and read me a Letter from the Elector his Maſter, commanding him to do all *Devoirs* and Offices poſſible to oppoſe the *Holſtein* Miniſters, in caſe they ſhould endeavour to bring the Difference between the Duke their Maſter and the Duke of *Holſtein* to be debated in this Place; it belonging not to theſe Treaties, but being an Affair to be decided judicially, and ſuch an one, in which there is a Sentence already given, I told him, thoſe Miniſters had never mentioned the Duke of *Pleune*, or any Difference with him, to me; nor was there ſo much as Mention made of him in their Propoſitions. I remain, *&c.*

L. Jenkins.

Nimeguen, 25th Feb. 1677-8.

Right Honourable SIR,

SINCE my laſt, which was of the *21ſt*, I have the Favour of yours of the *15th* Current to acknowledge.

IT brought me his Majeſty's Letter to the King of *Sweden*, Time enough to put it into M. *Heugh*'s Hands, before the Poſt of that Day went off; he received it with the deepeſt Veneration poſſible, and deſired, that all Things that can be ſaid to expreſs a moſt humble Senſe of his Majeſty's moſt Royal Goodneſs, may be ſaid in his Behalf; the Report that his Brother-in-law is not executed bears up ſtill; but he knows not how to believe it, the Account that was ſent him from his Court being ſo particular.

I ſhall not repeat any Thing of what is in my former Diſpatches, touching the Offices I have paſs'd with M. *Heugh* about the *Holſtein* Buſineſs; only I will add, that M. *Heugh* told me on *Thurſday* laſt, that whereas he had given an Account to his Court, of my having paſs'd thoſe Offices, and had charg'd himſelf upon my Inſtance to write about them, he had already receiv'd an Anſwer, tho' not to thoſe Letters, yet upon the Point in Queſtion; which was, by no Means to enter ſo far into the Negotiation, as to take from my Hands any Powers or Propoſitions, that I ſhould preſs upon him, from the *Holſteiners*. So that that Buſineſs ſtands there. And ſo that other Buſineſs about the *Swediſh* Letters and Couriers is like to ſtick; for the *Swedes* having preſs'd, that their Paſſage might be from *Femeren* to *Laland*, and not to *Falſter*, and that the *Danes* ſhould give them an Act in Writing, that this Conceſſion of theirs ſhould laſt as long as this Treaty laſted, (with one or two little Things more) M. *Heugh* told me on *Thurſday* laſt, that having repreſented theſe Advices of the *Swedes* to their Court, he is anſwered, that he and his Collegue are already gone beyond their Orders, and that nothing more will be yielded on the *Danes* Side.

I acquainted M. *d'Olivenkrantz* on *Saturday* with this Anſwer, as alſo with the Succeſs of my Offices with the *Imperialiſts*, M. *Blaſpiel*, and M. *Beverning*; the *Swedes* have deſired me to move them for Paſſports, upon Suppoſal they might agree with the *Dane*; I did it: The *Imperialiſts* and *Brandenburghers* promiſed to write, and were confident to receive a favourable Anſwer: M. *Beverning* deſired a Minute of a Paſſport as the *Swedes* would have it, and undertook it ſhould be diſpatched forthwith.

M. *d'Oliven-*

M. *d'Olivenkrantz* would needs lay the Blame of this Difficulty upon the *Dane*, ſaying, they thought to have accroach'd the Buſineſs in demanding an Act from the *Swedes*, not to ſend Letters by thoſe Couriers, but ſuch as ſhould relate to the Negotiation here; but that when they ſaw the *Swedes* would give an Act in Writing to that Effect, they would be ſure to do it, by refuſing an Act, that this Conceſſion ſhould continue as long as the Treaty, which the *Swedes* demanded of them. I confeſs, I was earneſt with them to forbear that demand, and to get into a Poſſeſſion of the Liberty for their Couriers; but they ſtood ſtiff upon demanding ſomething in Writing, ſince ſomething in Writing was demanded of them, and ſo that Buſineſs is loſt.

M. *d'Olivenkrantz*, in his Converſation asked me, whether I had not heard that his Collegue, M. *Oxenſtiern*, was gone to *Holland*, in Order to conclude a Treaty with the States General? He asked me, he ſaid, becauſe Meſſieurs *d'Eſtrades* and *Colbert* had told him, it was common News about this Town; whereas he does not find, that any beſides themſelves do talk of it. He told them ſuch a Treaty might be as well made here, and better, between them and M. *Beverning*; but it was replied, that *Silvercroon* is a ſpecial Confident of the Penſioner *Fagel*, and that they mentioned not the Thing as taking it amiſs; ſince the King our Maſter having, on the one Side, engaged to ſee *Sweden* reſtored, and being engaged, on the other Side, to do nothing but in Conſort with the States General, it was but reaſonable they, the *Swedes*, ſhould get the States to confirm, on their Parts, that which his Majeſty had promiſed on his.

M. *Petcum* told me on *Friday*, but deſired it might be in the utmoſt Confidence, that he thought this might be a moſt proper Conjuncture to make a Peace in the *North*; but the *Dane* deſired no more but to be a . . . . . which were eaſily done by a Barrier from him in *Schoonen*; that it is certain the King our Maſter would be hearkned to with all the Reſpect and Deference poſſible, if he ſhould move for a Peace; and then all the Power in the *North* would be at his Diſpoſal, to be employed otherwhere; and either Prince *George* or M. *Guldenlieu*, would be glad to command an Army of *Danes* upon ſuch an Occaſion: He deſires there might not be the leaſt Uſe made of his Name in the *Ouverture*, it being a meer Reflexion of his own.

He told me, that Count *Antoine* had his Credentials and Inſtructions theſe three Weeks lying by him, to go Ambaſſador into *England*; but that Monſieur and Madam *Colbert* have ſo repreſented to him the Expenſiveneſs of that Journey, and eſpecially the vaſt Charge it was to them, that he has made his humble Inſtances at Court, to be excus'd from going; but as M. *Petcum* thought thoſe Excuſes might not be received; ſo M. *d'Olivenkrantz* told me next Day they were not, but that he was reſolved to go that Embaſſy.

M. *Spanheim* tells me, that here is a Report in Town, that the Treaty between *England* and this State ſticks upon a Difficulty, that thoſe of *Amſterdam* have rais'd upon it; and that this is reported in the very Family of M. *Beverning*.

Yesterday and this Day, the News of the beſieging of *Ghent*, and the Certainty that it will be taken, is all the Diſcourſe of the Town, and that with Diſtraction and Amazement enough. I beſeech God to bleſs his Majeſty's Councils at Home and Undertakings abroad. The *Dutch* are jealous of the Biſhop of *Munſter*; he raiſes great Forces, and it is not known where he has Money to do it; only he abounds with *French* Wine. I am, *&c.*

L. Jenkins.

Nimeguen, 28*th Feb.* 1677-8.

Right Honourable SIR,

SINCE my laſt, which was of the 25*th*, I have the Favour of one from you of the 22*d* Current; wherein you are pleas'd to take notice of ſuch Letters as I have troubled you with this Month, and were then come to Hand. I perceive my Letter of the 17*th* of the laſt Month is, I know not how, miſcarried; I do therefore take leave to ſend you a Duplicate of it; and we ſhall endeavour on this Side to provide ſtill by putting every Thing material into Cypher, that ſuch Miſcarriages may not be much to our Prejudice.

IN the ſeveral Converſations that I have had ſince my laſt with M. *Spanheim*, *Blaſpiel*, and *Beverning*, the main Theam happen'd to be the earneſt Purſuit of M. *Muller* for the Dukes of *Zell* and *Wolfenbuttel*, in a Pretenſion of theirs, that ſuch Ambaſſadors as they ſhall ſend hither may be treated equally with the *Electoraux*.

THE two firſt told me, there is a Reſolution of the Electoral College, in Anſwer to a Letter that the Emperor had written to accompany a Memorial, that the *Zell* Miniſter had given in at *Vienna* upon this Subject; they ſay, that as the Emperor's Letter had ſomething in it of a Reſentment, that that Memorial was extraordinary in its Kind, ſo the Reſolution is very full and ſtrong againſt the Drift of it; beſides that, the Memorial itſelf is apoſtill'd with Strictures by the College; the Reſolution is of five Sheets of Paper in *High-Dutch*. I hope to get a Copy of it when it is put into a more familiar Language, and I ſhall be ſure to give you Part of it.

IT doth not appear that the Duke of *Hanover*, or the Biſhop of *Oſnaburg*, have made themſelves (at leaſtwiſe in the Empire) Parties to this Pretenſion; they are the Dukes of *Zell* and *Wolfenbuttel* only that intereſt themſelves in this; nor hath M. *Muller*, at his being here about a Fortnight ago, had the Satisfaction he expected from the *Imperialiſts*, the *Spaniards*, or the *Danes*, to whom he applied himſelf ſeverally, as having ſome Grounds to hope, they might be diſpoſed, by ſome Orders from their ſeveral Maſters, to treat the Ambaſſadors of that Houſe as the *Electoraux* are treated.

THE Difference at *Hamburgh*, where the chief Miniſter of *Zell* would cut between the firſt and the ſecond of *Brandenburgh*, is not yet adjuſted; the *Electoraux* alledging it to be a pure Innovation. It hath been practis'd quite otherwiſe in all former Times, and particularly at three ſeveral Aſſemblies ſince the Year 1669, and the *Munſter* Miniſters, that every where take Place of thoſe of *Zell*, pretend not to it.

THE Difference between the *Zell* Miniſters and the Directory of *Mayence*, continues ſtill as it was; that Miniſter would have his Credentials received from a Gentleman he ſends, which is a Privilege particular to the *Electoraux*, and the Directory expects the Miniſter ſhould deliver it up himſelf, as the Miniſters of all Princes, not Electors, have hitherto done.

IT is a Style it ſeems of the *Imperial* Cities, that when they have an Occaſion to write to an Elector, they do it in Parchment; but if it be to a Prince, they do it in Paper; the City of *Newenberg* having lately writ to the Duke of *Zell* in Paper, as the Stile ever was, their Letter was not received, but ſent them back again, becauſe it was not in Parchment.

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I mention theſe little Particulars, becauſe they ſeem to be managed with great Heat; and that it is ſuſpected, they have a Promiſe of a Countenance and Favour from *France* in this Pretenſion; it is obſerved, that Madam *de Harbourg* is a Perſon of Ambition and Intrigue, only her Ambition meets with no manner of Complaiſance from the Princeſſes her Neighbours.

M. *Beverning* is not well pleas'd with the Reſolution paſs'd ſome while ſince at the *Hague*, in Favour of theſe new Ambaſſadors, when any ſhould come from the Houſe of *Brunſwick*; for tho' he ſays, what is there delivered, is capable of an Interpretation, that will not much prejudice the States; yet the States are in this Caſe moſt concern'd of any other to look about them; for, ſays he, if we allow theſe Ambaſſadors, when they come, a Treatment equal with the *Electoraux*, we ſhall loſe the Point about which we ſtand in Competition with the Electors; for theſe Princes yielding the Point in all Reſpects to the Electors, and being content to come behind them, we cannot give their Ambaſſadors an equal Treatment with the Electors, but at the ſame Time the Preference of the Electors, as to us, will become eſtabliſhed, becauſe they are acknowledged on all Hands to have a Rank diſtinctly above that of theſe Princes.

One Thing more, he ſaid, that the States can no ſooner admit the *Zell* Ambaſſadors to an equal Treatment with the *Electoraux*, but the Duke of *Zell*, and all the Princes of *Germany*, will refuſe the Hand at their own Houſes to the Ambaſſadors of their State, tho' they do it not at this Time; only the Electors do it, and the Princes will be ſure to do the ſame; and they will be no ſmall Number, there being about 15 Lay Princes, (as *Newbourg* and others of Electoral Houſes) beſides the whole Bench of Eccleſiaſticks, that have undoubted Precedency before thoſe of *Brunſwick*.

I had ſome Diſcourſe with M. *Beverning*, and ſo with M. *Blaſpiel* and *Spanheim*, about ſome Apprehenſions there are, as if the Biſhop of *Munſter* was not like to remain firm to his Party; they all agree, there is little Streſs to be laid upon his Conſtancy to a Party; but M. *Beverning* does not think he can fall off from his preſent Engagement: For beſides his general Treaty with the Allies, when he entred into this War, he has entred into particular Meaſures with the Emperor, with the *Brandenburghers*, with the *Dane*, and the Duke of *Newburgh*, from all whom he does not ſee how he will be able to break off.

M. *Kinski* and *Don P. Ronquillo* favouring me with a Viſit on *Tueſday* Night, the latter complain'd very heartily of the Treaty between *England* and *Holland*, as it is printed at *Frankfort*. It ſeems to me by his Diſcourſe, that the *Spaniſh* Ambaſſadors here are not well either with the Duke *de Villa Hermoſa*, or with M. *de Burgomayne*; they find Fault with the *firſt*, for having refuſed the King our Maſter that Satisfaction about *Oſtend*, which he is ſince forc'd to come to, upon the Repreſentation and the Inſtances of his Highneſs the Prince of *Orange*; and for the latter, as they have little or no Account from him of his Negotiation in *England*; ſo *Don P. Ronquillo* has that Account from others, as to have no Reaſon at all to be ſatisfied with his Conduct; which, as far as it tends to foment any Miſunderſtanding between his Majeſty and his People, is certainly a wrong Meaſure for the *Spaniſh* Affair; wherefore he wiſhes himſelf there for ſome ſhort Time.

I was requeſted yeſterday by M. *Beverning*, to paſs an Office with the *French* Ambaſſadors, ſo as to acquaint them, that his Highneſs the

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Prince of *Orange* had ordered a Regiment of Horſe to march from *Zutphen* Side, and to paſs through this Town in their Way to the Army; but his Highneſs had ordered withal, that they ſhould not enter into the Town, but paſs over the Rampart from the Water-Gate to the Gate they are to go out at; this is a fair Regard that his Highneſs is pleas'd to ſhew to the Neutrality of this Place, and the *French* underſtand it ſo; beſides, a Diſorder that happened here upon the like Occaſion ſome while ſince makes the Caution more becoming.

I take Leave to trouble you with the Papers of the Duke of *Mecklenburg-Swerin's* Miniſter; they are now in ſomewhat a better Form than they were in at firſt; but that Duke being no Party to the War, I beg you will pleaſe to favour me with ſome Notice, how far his Majeſty thinks fit to own the Concerns of this Prince, which are, to have his Damages repair'd, and that the Toll that the *Swedes* have been uſed to take at *Warnemund*, be taken off. I remain, *&c.*

L. Jenkins.

Nimeguen, 4th Mar. 1677-8.

Right Honourable Sir,

SINCE my laſt, which was of the 28*th* paſt, I have not the Favour of any from you, yet I may chance to have ſome coming this Side the Sea; for the *Engliſh* Letters of the 26*th*, that are come by the Way of *Amſterdam*, are already arrived.

In a Viſit I gave M. *Colbert* on *Thurſday*, I found him full of Aſſurance that *Ghent* would be taken, and that *Bruges* would ſoon after bring their Keys, and preſent them to his King; the Conſequence of this, he ſaid, would be, that by this Means the Way for all Succours from *England* would be ſtopped; and that if *England* did before think it neceſſary to raiſe 30,000 Men, 60,000 would now hardly do their Buſineſs; and they would be at a Diſadvantage even with that Force, conſidering how the *French* are diſciplin'd, and uſed to the Wars, and the *Engliſh* not.

He ſaid, that his Highneſs the Prince of *Orange* had remonſtrated to the Duke *de Villa Hermoſa*, how impoſſible it was for him to do any Thing, the *Spaniſh* Garriſons having taken up ſo many of his Men, that he has not a Force left to appear in the Field.

M. *Colbert* made it his Wiſh this might produce a Peace, and he hath Hopes, he ſays, it may; there being no greater Impolicy to be committed on the Allies Side, than to refuſe ſuch a Peace as they may yet have; and to let *France* ſee how great Things it is able to do, notwithſtanding the Oppoſition of all *Europe*.

M. *d'Avaux* ſeemed to be perſwaded, the next Day after, this great Victory (tho' then we knew nothing of it) would diſpoſe the *Spaniards* to part with *Tournay*, *Valenciennes*, and *Conde*, provided *Ghent* might be reſtored them; this was his Diſcourſe to me, and of his great Hopes of a ſudden Peace; as alſo that M. *Barillon* was very much at Eaſe in his Thoughts at this Time upon the ſame Confidence.

I do not find that the *French* do talk thus ſmoothly to others; for M. *Chriſtine* told me, they had talked to him that very Day with much undervaluing of all that *England* can do; they ſaying, that the King their Maſter had undertaken this, to ſhew how little apprehenſive they were of us.

One

One Thing I could not but take Notice of that M. *Colbert* let fall, it was, that ſpeaking of what the Emperor might do in *Germany*, tho' Things went ill here with the *Spaniards*, he ſaid, that the Emperor might find himſelf much miſtaken in his Meaſures, and more Enemies than he dreamt of: thoſe were his Words.

On *Saturday* M. *d'Olivenkrantz* came to acquaint me, that he was now reſolved on his Journey for *England*, only he muſt ſtay till to Morrow in the Afternoon, that his Collegue M. *Oxenſtiern* has writ him Word he will be back from *Amſterdam*; and then he will be ready to go by the next Packet Boat, but cannot hope to overtake this.

He told me, he had acquainted M. *d'Eſtrades* that Morning with his Intentions, and that his Buſineſs would be, to prevent, as much as lay in him, the Rupture between *England* and *France*; that he was adviſed from *Sweden* by a Letter two Days ago, which puts him upon his Journey, that he ſhould find his Credentials and Inſtructions in *England*; that the Marquiſs thereupon told him, his going into *England*, if the Peace went on, would be worth his while, becauſe he might be near the King our Maſter, to ſollicit for that Reſtitution which *France* hath made the Condition, *ſine qua non*, (thoſe were his Words) of the Peace; but if there were a War, he, the Mareſchal, did not know what Buſineſs M. *d'Olivenkrantz* would have there: This M. *d'Olivenkrantz* told me, by way of Report of what had paſſed between him and the Mareſchal; inſinuating withal, he might, and would have Buſineſs in *England*, tho' the War ſhould break out; notwithſtanding that the Mareſchal did ſee no Buſineſs he would have to do there: Nor did M. *d'Olivenkrantz* tell me, by way of Account to myſelf, any more, but that he was now reſolved, upon a very late Order he had had from Court, to undertake a Journey into *England*, as ſoon as his Collegue came Home. He told me, he was certain (upon what Grounds I could not diſcover) that M. *Fagel* the Penſioner had very lately ſaid, that for certain *England* would declare againſt *France* before the 20*th* of this Month.

That the Biſhop of *Gurck*, in a late Converſation he had had with him, had owned, how that he, the Biſhop, had taken Notice of the *Danes* civil Way of threatning their Allies, in telling them, that if they do not ſo and ſo, as they would have them, *they*, the *Danes*, *muſt take other Meaſures*. That to this M. *de Gurck* had replied, he underſtood well enough what was meant by thoſe other Meaſures, and was confident the Emperor his Maſter would be no Loſer, whenever the *Dane* ſhould enter into thoſe other Meaſures.

M. *Cannon* tells me, the laſt News from *Vienna* is, that the Duke of *Lorain* was like to come ſtrait to the Army, and not to go to the *Tyrol*, as he had before propoſed. I remain, *&c.*

L. Jenkins.

Nimeguen, 7th Mar. 1677-8.

Right Honourable Sir,

SINCE my laſt, which was of the 4*th*, I have the Favour of one from you of the 22*th* paſt, and therein a Copy of his Majeſty's Offer of his Mediation to the King of *Denmark*, and that King's Anſwer; by which Anſwer, the King's Mediation in the Duke of *Holſtein*'s Buſineſs appears to have been wholly declin'd. The coming of this laſt Letter of yours three Days later to hand than other Letters of the ſame

ſame Date, that came by the way of *Amſterdam*, makes me repeat my humble Suit to you, that the Letters you ſhall pleaſe to honour me with, may be directed for the future by the Way of *Amſterdam*.

I troubled you in my laſt, with a long Account of what M. *d'Olivenkrantz*, in his Adieus to me, was pleas'd to ſay of his Voyage into *England*.

In mine to him on *Monday*, he obſerved, that he had no ſooner communicated his Thoughts to M. *d'Eſtrades* of his Voyage, but the *Daniſh* Ambaſſadors came acquainted with it; and Count *Antoine*, in Conſequence of what came to him from M. *d'Eſtrades* (as 'tis ſuppoſed), declar'd on *Saturday* laſt, that he had Orders to go over hence forthwith Ambaſſador into *England*; and that his Secretary and Domeſticks went away yeſterday, to prepare for his Reception into *London*. Yet I find M. *Stradtſman* and M. *Beverning* of Opinion, that he is not in any ſhort Time, if at all, to go that Voyage; but that M. *Lindenaw*, who arrived here on *Saturday*, will be gone hence for *England* in a Day or two; but I have nothing certain of it, having not ſeen that Gentleman, tho' I perceive he has viſited M. *Beverning* and (I ſuppoſe) others.

M. *d'Olivenkrantz*, in the Converſation I had with him on *Monday*, ſeem'd to be full of the Intrigue that he ſays is now on Foot between *France* and the Crown of *Denmark*, it is carried on mainly by the Duke of *Hanover*, (who is a Prince of ſo much greater Intrigues, as he manages them all himſelf, not truſting any otherwiſe the writing, cyphering, or uncyphering of his Letters) and partly by the Ambaſſadors of *France* and *Denmark* upon this Place.

Another Thing he told me was, that the *French* King would have been content to accept of a Truce for a Year or two, but not of a Peace; during that Truce, he would have had Time and Art enough to break in Pieces the preſent Alliance that is againſt him, beſides other Advantages; but that he never meant to come to a Peace.

Last Night, in another Adieu he was pleaſed to give me, I perceived by him he would have me underſtand, there is no fair Correſpondence between him and the *French* Ambaſſadors at this Time; for it does not appear that he means to take Leave of Meſſieurs *Colbert* and *d'Avaux*; and M. *Colbert* hath taken Occaſion to tell a certain Perſon, (that ſhould be ſure to tell it M. *d'Olivenkrantz* again) that they, the *French*, have as much Reaſon to fear theſe *Swediſh* Ambaſſadors, as if they were their very Enemies; complaining highly, that M. *Oxenſtiern*, in the Journey he made the other Day into *Holland*, and M. *d'Olivenkrantz*, in that he makes now into *England*, gave them, the *French* Ambaſſadors, no Notice before their going.

I take Leave to lay theſe little Things before you, becauſe I am not certain but that M. *d'Olivenkrantz*, conſidering how Things are like to go between *England* and *France*, may let fall ſuch Diſcourſes, that we may the eaſier believe *Sweden* is not ſo cloſe tied to *France*, as is generally thought it is; however, tho' in his laſt Viſit he told me, the Account he had given to M. *d'Eſtrades* of his Journey was, that his Buſineſs would be to prevent, as far as ſhould lie in him, the Rupture between *England* and *France*; yet he was not pleas'd to take Notice laſt Night of the common Belief here, that the Rupture is now as good as declared, and conſequently, that he will come too late.

Yesterday M. *Beverning* favouring me with a Viſit, told me, how the *Imperial* Embaſſy had given him a Viſit, with a Deſign of entering into Expoſtulations with him; and M. *de Gurck* delivered himſelf in a long premeditated Speech to that Effect; which was, to remonſtrate to him

him how unjuſt it was, that the States General ſhould enter into Meaſures with the King our Maſter, and therein determine what the Emperor ſhould be content with in the Peace, without acquainting him or his Miniſters in the leaſt with it.

M. *Beverning* ſaid, that finding they were come on Purpoſe to quarrel with him, he was the more careful to contain himſelf in Temper, and did partly argue, and partly laugh it out: That he had told them, that all that his Maſters had done was for the Service of the Allies, by their Endeavours to bring his Majeſty to engage in their Party; but that they, the *Dutch*, had made no Manner of Proviſion for themſelves in the Treaty.

He charged them with telling them, that the Emperor their Maſter had ſeveral Treaties ſince that made with them; and thoſe Treaties relating to this War, and his own Advantages in it, without Regard to the Engagements he is under, not to make any Treaty without acquainting the States General with it. Beſides, he told them, that if the Emperor liked not what they had done, he was at an entire Liberty to diſown and renounce it.

But M. *Beverning* thinks there is ſo much done for the Emperor and the Empire, that he, the Emperor, would be ſatisfied if he ſaw it; and therefore that he had written, that the King our Maſter might be moved to ſuffer that Part of the Treaty that concerns the Emperor, to be communicated to ſome one of his Miniſters, but with all the Injunction of Secrecy poſſible.

M. *Stradtſman* favouring me with a Viſit ſome Hours after, fell upon the ſame Theam; complaining, in his civil Way, that the States General had paſſed by the Emperor, without due Regard to him, and to his Intereſt in this War; for it was hard, he ſaid, to conclude him, without making him in the leaſt acquainted with the Terms; for, ſays he, the Buſineſs of *Spain* was ſuppoſed as a Thing adjuſted in the firſt Place; in the *North*, there was to be a Ceſſation of Arms; theſe two Things being ſuppoſed, the Conſequence was, that either the Emperor muſt have at firſt Word accepted the Conditions concerted for him, or elſe, if he did not, the whole Power of *France* was to pour itſelf upon the Emperor and the Empire.

In this Complaint, M. *Stradtſman* expreſs'd himſelf in general Terms; that he had but a melancholy Proſpect of theſe Provinces, and of their lucky Hand to continue longer in the War, the Diviſions in *Holland* growing greater and greater every Day, and the Poverty all over the Provinces being very viſible; inſtead of telling me ſome Particulars, as I asked him, he was pleaſed to appeal to the Knowledge I had of ſome late Proceedings, ſince the Beginning of *March*, in *Holland*; meaning, I ſuppoſe, that which was reported here theſe three or four Days laſt paſt, that the States of *Holland* had ſent Word to the King our Maſter, that unleſs it ſhould pleaſe his Majeſty to declare forthwith, they muſt ſubmit to a Peace with *France quocunque modo*.

I muſt not forget to tell you, that M. *Beverning* (ſmiling at a Paſſage in the *French* Gazette, wherein it is ſaid, that the Peace between the two Crowns in the *North*, is labour'd very much here at *Nimeguen*, and in good Forwardneſs, and that I had been intreated by the *Daniſh* Ambaſſador to look over the Treaties formerly made between thoſe two Crowns) told me, it was very much his Wiſh that Peace were made; he was confident his Majeſty would be able to do it without any great Difficulty; that his Majeſty had cauſed the States to be ſpoke to touch-

ing that Affair; and that he thought it was their common Intereſt it ſhould be warmly purſued. I remain, *&c.*

L. Jenkins.

Nimeguen, 11th Mar. 1677-8.

Right Honourable Sir,

SINCE my laſt, which was of the *7th*, we have no Letters out of *England*, and know not when to hope for any, as long as the Wind ſits as it has done theſe four laſt Days, ſtrong *North* and *N. Eaſt*.

On *Friday*, M. *Spanheim* told me, his Electoral Highneſs had lately imparted to him from *Ratisbone*, the Communication which the Emperor had laſt made (as he uſes to do from Time to Time) to that Dyet, of the State of Affairs relating to the Peace.

That therein the Emperor complain'd, how that he could get no Account from his own Miniſters, either in *England* or at the *Hague*, of the Treaty that had been made between the King our Maſter and the States, nor of the Project as it was laid for the General Peace; only that his Ambaſſadors at *Nimeguen* had ſent him what was imparted to them by the *Spaniſh* Ambaſſadors, and that was all he had now to communicate to them at *Ratisbone*.

The Particulars relating to *Spain* were, as M. *Spanheim* ſays, much the ſame with the Print that goes about, under the Name of the Treaty between *England* and *Holland*. As to the Empire, there was this ſaid, that *Philipsburgh* was to be demoliſh'd, and *Friburgh* to be reſtor'd; the Project, as far as the demoliſhing of *Philipsburgh*, goes very much to his Electoral Highneſs's Liking; and M. *Spanheim* was directed to enquire into the Truth of it here.

On *Saturday*, the *Holſtein* Miniſters being with me, to deſire me to move the Confederates, to interpoſe their Offices with the *Daniſh* Ambaſſadors, for the admitting of the Duke of *Holſtein* into this Aſſembly, told me, that they were very ſure that the *Imperial* Ambaſſadors here would get them admitted, if the Duke would conſent to put the mediating of that Affair into the Emperor's Hands; but that he would never be brought to take it out of the King our Maſter's Hands, where now it is.

M. *Oxenſtiern*, in a Viſit he gave me on *Saturday*, told me, that Count *Coningsmark* is of late well reinforced, there being come to *Stralſund* 22 Ships out of *Sweden*, laden with all Manner of Proviſion, and bringing a Recruit of 4000 Men on Board them; that *Coningsmark* has taken ſeveral conſiderable Poſts in the *Mecklenburgh* Country, and is return'd with a great Booty of Cattle eſpecially; which will do well to new ſtock the Iſle of *Rugen*; and being thus reinforc'd, will be able to march 10,000 Men.

M. *Ducker* delivering me yeſterday a freſh Memorial, for his Admiſſion into the Aſſembly here, told me, he had ſeen Letters from *Paris*, that ſpoke great Hopes of Peace, for this Reaſon, that the King of *Spain* had referr'd it abſolutely to the King our Maſter, to make ſuch a Peace for him with *France* as he ſhall think fit.

Don P. Ronquillo told me laſt Night, that M. *de Burgomayne* adviſeth, that he cannot get the Miniſters in *England* to conclude a Treaty with him; and that he has ſollicited his Majeſty himſelf, that they might do it; and that his Majeſty had excuſed the Secretaries in particular, upon their being taken up wholly with attending in Parliament: He was very

very earneſt with me to let him have in Confidence a Sight of the Project that M. *de Burgomayne* had given in to *England*, till I ſatisfied him that I had never receiv'd or ſeen any ſuch Project.

He was much upon the Point of *Oſtend*, and upon the Danger that many People, both here and in *Flanders*, do, as he ſays, think there would be, in putting the only Port they have into his Majeſty's Hands without a Treaty; tho' for his Part, he ſaid, he would have choſen to uſe ſo great a Confidence, not only as being particularly acquainted with the great Senſe of Honour and Juſtice, that his Majeſty has upon all Occaſions; but alſo as judging it would have been, in the preſent Circumſtances, a ſtronger Tye than any Treaty. I remain, *&c.*

L. Jenkins.

Nimeguen, 14th Mar. 1677-8.

Right Honourable Sir,

I Have not the Favour of any from you by yeſterday's Poſt, that brought the *Engliſh* Letters of the *5th* of *March*, to acknowledge; nor hath there any Thing occurr'd to me here ſince my laſt, which was of the *11th*, that I can think worth your Notice. The Expectation here was great, that the Letters of the *5th* Current out of *England* would have brought a Declaration of War along with them; it being thought that the taking of *Ghent* would have had that Effect on that Side.

M. *Beverning*, in a Converſation I had with him laſt Night, does confeſs, that the Talk in *Holland* is very impertinent and wild at this Time, both againſt this Government and ours: It is ſeldom we meet, but he hath ſome Complaint or other of the *Spaniards*; that which he now happened to enlarge upon was, that they in *Flanders* have decried and forbid the ſmall Coin current in this Country, and yet 'tis impoſſible for the *Dutch* Soldiery to ſubſiſt there without it; the States offering to take back again all their ſmall Coin in *Specie*, that their Soldiery ſhall uſe in that Country, and to return them the Value in good Money, or to come to any other reaſonable Expedient; but none would be admitted of.

Another Thing is, they in *Brabant* refuſe any Burying-Place to the *Dutch* (tho' of never ſo good Quality) that die among them; and yet they are bound to aſſign ſuch Burying-Places to the Subjects of the States in all the *Spaniſh* Dominions, by an expreſs Article of the Treaty of *Munſter:* I wiſh we may have neither of theſe Points to diſpute with the *Spaniards*, now our Troops are in the Country.

Speaking with him of the Occaſion that made the Biſhop of *Gurck* take a Journey (which I ſhould have adviſed you of in my laſt) to *Duſſeldorp*, he thinks it may be to help the Duke of *Newburgh*, in relation to his Son's being Coadjutor to *Cologn*; they, the *Dutch*, I perceive, are not without ſome Jealouſy of the growing Greatneſs of that Duke, partly by marrying his Eldeſt Son with the Emperor's Siſter; and partly by the Coadjutory of one of his Sons in *Cologn*; and of another in *Oſnaburg:* Which Project, if effected, may make that Houſe formidable to its Neighbours; and M. *Colbert*, he ſaid, did lately obſerve it to him, M. *Beverning*, that he might thereby better comprehend, how uſeful the Alliance, and conſequently the Ties of *France*, might be to the States in that Caſe.

THERE is not, it ſeems, a thorough good Underſtanding between the Dukes of *Newburgh* and *Lorain*, and the Occaſion of M. *Stradtſman*'s late Journey to *Duſſeldorp*, was in Order to labour with that Duke to ſet Things right between them.

THE *Dutch* Miniſter from *Denmark* writes, that the *Dane* makes Account to be early at Sea, and very ſtrong this Year; but for a Land Army, 'tis in no ſuch Forwardneſs: He confirms what we have this Day from *Hamburgh*, that the Dyet at *Helmſtadt* hath reſolved, that the fourth Man through the Kingdom of *Sweden* ſhall be armed. I ſend you herewith a long Memorial of M. *Duckers*, which we had not Time to get written out by the laſt Ordinary.

I take leave to encloſe an Extract that I received this Morning from Mr. *Skelton*, of ſome Proceedings lately had in the *Aulique* Council at *Vienna*, touching the *Gluckſtadt* Toll; the Decree of the Court is, you ſee, that it be referr'd to the Neighbour States, to inform themſelves and certify within two Months; this Courſe, by the *German* Writers, is made neceſſary, before the Emperor and the Electoral College can come to a Determination one Way or another; but the Fear is, there will be a Surprize in taking theſe Informations. I was therefore immediately to communicate this to M. *Beverning*, and he hath charg'd himſelf to write into *Holland*, that their Miniſters at *Hamburgh*, and other where, may be quickly directed to look after it; the Elector of *Brandenburgh* hath, he ſays, given his Conſent, that the Toll ſhall be fixt and levied till *Denmark* do raiſe a certain Sum; and there are many Reaſons to believe the Houſe of *Brunſwick* will make a favourable Certificate for the Toll. I acquainted Mr. *Hyde* and Sir *William Swan*, with what is done at *Vienna*; that if they have any Orders to move in this Affair, they may be acquainted with this new Incident. I remain, *&c.*

L. Jenkins.

Nimeguen, 18*th Feb.* 1677-8.

Right Honourable SIR,

SINCE the laſt, which was of the 14*th*, I have the Favour of one from you of the 8*th* Current to acknowledge; and do humbly thank you for it.

M. *Blaſpiel* being return'd hither on *Friday* laſt from his Highneſs the Prince of *Orange*, was on *Saturday* with me, to acquaint me of a Journey he was to make (and he begun it yeſterday) at the Prince's Requeſt, to *Berlin*. He made it his ſolemn Requeſt to me, that in Caſe his Majeſty ſhould order any Thing to be propos'd here touching the Peace in the *North*, that M. *Romſwinkle* (the *Brandenburgh* Miniſter now at the *Hague*) might be heard in the Elector's Behalf; his Reaſon he ſaid for this Motion was, that he had had Advice, his Majeſty had ſome ſuch Thing in Deliberation, and therefore thought it requiſite to enter this Caveat, becauſe he himſelf ſhould be abſent for a Month at leaſt; and that in his Abſence, the Elector meant that M. *Romſwinkle* ſhould appear here for him upon all Occaſions.

M. *Chriſtine* told me at the ſame Time, that the Peace of the *North* was a Thing generally deſired by the Allies, each of them being like to have conſiderable Advantages by it; it would ſave them, the *Spaniards*, he ſaid, a great deal of Money, that they are forced to employ to make that Diverſion; and he hath been ſpoken to with Earneſtneſs by

by ſome of the Miniſters here, to contribute to the bringing of it about all he can.

M. *Petcum* enlarged much, in a Converſation I had with him on *Saturday* upon the ſame Subject, deſiring I would write earneſtly about it, and repreſent it as a Thing wherein his Majeſty would find all Compliance from the King of *Denmark*, and no Difficulty from *Sweden*, which is drawn, he ſays, very low, and like to be ſupply'd but very poorly, if at all, by the Dyet lately call'd at *Helmſtadt*.

He told me Count *Antoine* was now reſolved upon his Voyage into *England*, and ask'd me, whether the Count might not ſpeak with me, at leaſt in a third Place before he went. I told him, I was not at Liberty to enter into any Expedient, until it ſhould pleaſe his Majeſty to take off the Reſtraints I have been under for a long Time; his Reply was, that it would be a Thing that might be interpreted to the Count's Diſadvantage in *England*, that he had made that Voyage, and not paid his Civilities (which he was moſt deſirous to do) to his Majeſty's Miniſter in this Place.

M. *Petcum* and I had ſome Talk of his accompanying the Count in this Voyage; which, as far as I can gueſs, he would be very willing to do (for it is upon his Account, and for his Satisfaction, that he is put into the Commiſſion here) but that he fears his Welcome into *England* would be as little favourable as his Diſmiſſion was; however, he deſired me to write earneſtly, and not to ſpare the uſing of his Name to his Majeſty's Miniſters (if I thought it would be in the leaſt conſidered) for to aſſure them, that the Peace of the *North* would be eaſily made upon any Terms his Majeſty ſhould think fit.

But for the Truce, (which is the Thing that is now at this Time talk'd of) they do no leſs fear it than they wiſh the Peace; it will, he ſays, have this peculiar Diſadvantage among many more in it, that thoſe that will enter into it, will not be at Liberty to diſpoſe of their Troops as his Majeſty ſhall deſire they ſhould; this was his Diſcourſe and M. *Chriſtine*'s, tending to convince me, how eaſie the Peace of the *North* was to be made; but M. *Blaſpiel*, tho' the Nature of the Requeſt he made to me, and my Diſcourſe to him upon this Subject, led him to ſay, how practicable or otherwiſe the making of the Peace at this Time would be, did not touch one Word that look'd like an Invitation on that Side; only ſaid, that a good Peace in the *North* would be welcome.

M. *Chriſtine* was confident, they in *Flanders* would take Heart upon the coming of our Troops among them; and ſpeaking of the Diverſion that might be made by Sea (which is the ordinary Diſcourſe here) about *Bourdeaux*; he deſired I would take notice, and make what uſe I thought fit, of one Truth he could tell me upon his own particular Knowledge; it was, that when he came through *Bourdeaux*, this Time two Years from *Spain*, there were ſome there that, knowing him and his Engagements in the Service of the Crown of *Spain*, did open themſelves ſo freely to him, as not only to complain of the Oppreſſion they were under, but alſo to aſſure him, that if *Spain* would ſend to the Number of 8000 or 10000 Men into that Country, the *French* would find ſo much Work on that Side, as would give the *Spaniard* all that in the Low Countries they could expect from a powerful Diverſion.

He is I perceive upon returning to *Bruſſels*, having deſired the *French* Ambaſſadors to procure him Paſſports to that Effect; but whether it be, becauſe that the Marquiſs *de Tuentes* is coming hither to be Plenipotentiary for this Treaty, or for more private Reaſons, I cannot tell;

tell; but that the Marquiſs comes hither, and Count *Egmont* goes in his Stead in *England*, is a Thing reſolved on, as M. *de los Balbaſes* gives out.

M. *d'Avaux* told me laſt Night, that the King his Maſter writes them Word of the $\frac{8}{18}th$ Current, that he was then in Expectation of what his Meſſage by M. *de Ruvigni* into *England* would produce; he ſaid, the King his Maſter departed not from his firſt Terms, but would demand *Ipres*, now he was to ſurrender *Ghent*: He, M. *d'Avaux*, talks, as if the Expreſs that the King our Maſter ſent into *Spain* the 22*d* of *January*, *O. S.* (and is not yet return'd, as he hath it from the *Spaniards* here) might poſſibly bring with him ſuch a Temperament, as that the King of *Spain* would declare himſelf content to depart from ſome Things that the King our Maſter, and theſe States, demand in his Behalf; and ſo the Peace would be quickly made.

I told you in one of my laſt, what the Emperor had communicated to the Dyet at *Ratisbone* of the Project of Peace, and how by that Project *Philipsburgh* was to be razed, *&c.* I hear that M. *Stradtſman* ſays, the Informations that they, the *Imperialiſts*, gave hence, was not ſo poſitive as that Communication makes it to be; the *Spaniſh* Ambaſſadors not having told them any Thing of certain; nay, that all they collected from them had been taken up by Piece-Meals, and by the by; and it is certain, there was a great Coldneſs between thoſe two Embaſſies; becauſe the *Imperialiſts* were perſwaded, that the Duke *de Villa Hermoſa* did not conceal what he knew of the Project from M. *de los Balbaſes*; and that they, the *Spaniards*, knowing it, ought not to have conceal'd it.

This Day at Noon, M. *d'Eſtrades* and M. *d'Avaux* (M. *Colbert* being ſtill laid up of the Gout) came to deſire my Offices, to ſpeak once more to the *Imperialiſts*, for the admitting of M. *Ducker* into the Treaty, they having had freſh Orders from the King their Maſter to renew that Demand; when I had given them an Account how M. *Ducker*'s Affair ſtood with the *Imperialiſts*, and where we had left it, I charg'd my ſelf to advance it in the beſt Manner I could be able; but told them, that M. *de Gurck* being out of Town, it would be convenient to ſtay till his Return, if that was like to be in a ſhort Time, before I propoſed it; their Anſwer was, that the Nuncio (when they moved the Buſineſs to him) deſired, and had reſolved to defer it till the Biſhop's Return. This being over, they told me, they had Orders from their King, to move likewiſe for Prince *William* of *Furſtemburgh*'s Liberty; and I not being able off Hand to give ſuch an Account as was requeſted of the Particulars that had paſs'd here in his Concern, deſired a little Time to look over my Papers, in Order to ſee and give them an Account where we left it laſt, and which Way it would be moſt natural to move anew in it; they told me, I might take my own Time, and if I ſaw Cauſe, I might forbear ſome Days, in Hopes I might receive his Majeſty's Orders, M. *Barillon* having been lately writ to, as they find, to move his Majeſty touching the Liberty of that Prince. I have received the Honour of a Letter from his Electoral Highneſs *Palatine*; the Copy you ſhall have by the next; for I ſhall be then able to tell you of ſome new Demands, and of another Method his Highneſs is willing to take, in Order to his Pretenſions upon the *French*.

L. Jenkins.

Nime-

Nimeguen, 21*ſt Mar.* 1677-8.

Right Honourable SIR,

SINCE my laſt, which was on the 18*th*, I have the Favour of one from you to acknowledge.

HEREWITH goes incloſed a Letter I had the Honour to receive ſome Days ago from his Electoral Highneſs *Palatine*; you will find by it, that, not deſpairing of the Peace, he depends very much upon his Majeſty's Offices as Mediator towards *France*, for his being repaired in the Damages he has ſuffered; for the Particulars, his Electoral Highneſs is pleaſed to refer me to his Miniſter here M. *Spanheim*, who hath let me know, it was his Electoral Highneſs's Deſire, to be ſatisfied *firſt* in the Queſtion, Whether *France* will allow him Damages or not? If ſo, he deſires in the *ſecond* Place to know, Whether the *French* Ambaſſadors will expect that he ſhould go through all the Preliminaries and Forms, as the reſt of the Allies have done? Or elſe, whether they will be content with proceeding ſummarily to admit and adjuſt his Damages, and give him Recompence for them? Which he deſires might be with the ſooneſt ſettled, that he may be at a Certainty what to truſt to; and to be in his Behalf inſerted into the Body of the General Peace.

THIS is the Sum of my Commiſſion, and I ſpoke with the *French* Ambaſſadors yeſterday upon it ſeverally, for that was a Circumſtance I was deſired to obſerve in my Applications; and they promis'd me to adviſe together, and to give me 'ere long their Anſwer.

M. *Spanheim* had given me Commiſſion to let them know, that if his Electoral Highneſs might be ſatisfied, that *France* intended to give him any Recompence for his Damages, and would preſently enter into an Adjuſtment with him, he would point ſuch Ways and Means, as that *France* may do it without any great Charges or Burthen to itſelf: Such as would be;

Firſt, THE paying to the Elector thoſe Arrears that are due to him, by virtue of a Treaty made in *France* in the Year 1658.

Secondly, THE excuſing of him from paying the Duke of *Orleans*, the Portion agreed to be given with Madame.

Thirdly, THE finding ſome Way to recompenſe the Dutcheſs of *Lymeren*, for the Dowry ſhe claims from the Dutchy of that Name.

Fourthly, THAT the Mareſchal *de Schomberg* may be compenſated by the *French* King, ſome Way or other, for that Eſtate of his that has been confiſcated by the Emperor's Decrees within the Elector's Dominions, ſince the Beginning of this War.

SOME other Points there are, which I may be more particularly inform'd of in Time; but the principal of all is, the razing *Philipsburgh*; upon this Occaſion of ſeeing the *French* Ambaſſadors, I gave them an Account of all that had paſſed in the Buſineſs of Prince *William* of *Furſtemburgh*; they were of Opinion, it was the beſt Way I ſhould forbear any further Offices, till his Majeſty were acquainted with the Motions they now made in that Prince's Behalf, or ſhould pleaſe (if he ſo thought fit) to honour me with his Orders, in Conſequence of the Application that M. *Barillon* is order'd to make on that Side, and theſe Ambaſſadors on this.

M. *Colbert*, when I was with him upon theſe Affairs, enter'd into a Diſcourſe of the News of *England*, and the Addreſs reſolved on the 15*th* by the Houſe of Commons; one Reflexion he had upon it was, that

that the Houſe had aſſigned a ſet Time for the Merchants to withdraw their Effects out of *France*, before the Interdict forbidding all Commerce with *France* ſhould take Place; that the Merchants, by their Petitions to both Houſes, had repreſented the Time (as it is ſet in the Act) as too ſhort for their Purpoſes; and yet that now it will be much ſhorter if the War be declar'd forthwith, for that of itſelf breaks off all Commerce.

He could give a large Account of the cold Reception our Troops had met with at *Oſtend*, and of the Amazement our chief Commanders were in, to ſee thoſe Places they came to ſo pitifully provided for; and alſo of the Impoſſibility he conceives for the *Engliſh* Forces in any great Numbers to ſubſiſt, in the pitiful Remainder that is left the *Spaniards* in that Country; that which ſeemed to me moſt worth the remarking in his Diſcourſe was, that the *Spaniards* very lately let the *French* underſtand, that notwithſtanding *England* and *Holland* have thought fit to inſiſt upon *Tournay*, as neceſſary to make the Barrier, yet they, the *Spaniards*, will enter into a Temperament about it, (that is, inſiſt no longer to have it) if by that Conceſſion they may come to a preſent Peace. But this Offer, he ſaid, they, the *French*, were not to brag of, ſince it was to go for nothing, being not accepted of forthwith.

Yesterday in the Evening, M. *Beverning* giving me the Favour of a Viſit, was much in Pain, for that he ſays there is a Ceſſation of Arms, not a ſhort, but a long one, now in Treaty; the Reaſon, he ſaid, of his Diſquiet is, that if there be any other Ceſſation made but a very ſhort one, in order to a Peace out of Hand, the *French* King will have Opportunity to break all the Meaſures that can be taken on the Side of the Allies, by his Intrigues in their ſeveral Courts: He told me alſo the Arguments he had uſed to *Don P. Ronquillo*, to ſhew the Nonſenſe of that groundleſs Calumny that is now on Foot, as if his Majeſty and the Prince of *Orange* had a Deſign to change the Government of *England* and *Holland* reſpectively, and of their having Intelligence with *France* to that End.

M. *Beverning* gave me at that Time the Copy incloſed of the Biſhop of *Bamberg*'s Letter, againſt ſome new Pretenſions of the Electors; he being deſirous, he ſaid, we would be poſſeſs'd of all Writings relating to that Controverſy between the Electors and Princes, in Hopes we may clear up the Right of theſe States, who are moſt concern'd that there be no Surprize or Innovation in it.

In a Converſation I had laſt Night with *Don P. Ronquillo*, he ſeem'd to be much troubled at the Addreſs of the Houſe of Commons, leaſt it ſhould give Offence to his Majeſty; he was very inquiſitive about the Forwardneſs of our Levies in *England*, which he thought would be of better Effect in order to a good Peace, than any ſharp Expreſſions againſt *France*; he told me, their laſt Letters from *Madrid* (not from the King their Maſter, but from particular Friends) gave them Hopes, there was a Treaty as good as finiſh'd between *England* and *Spain*: Sir *W. Godolphin* having had for ſome Days very long Audiences of *Don Juan*; and that as ſoon as thoſe were over, he was very much with the Secretaries, but for the Particulars, he ſaid, he knew none.

He told me, the Marquiſs *de Fuentes* is to come hither a fourth Plenipotentiary; I asked him of Count *Egmont*'s going for *England* as Ambaſſador; he told me, there was ſuch a Report; but I perceive that in *Don Pedro*'s Family there is a Diſcourſe, that he himſelf is to make another Voyage to *England*. I remain, *&c.*

L. Jenkins.

Nime-

Nimeguen, 25th Mar. 1678.

Right Honourable SIR,

SINCE my laſt, which was of the 21*ſt*, I have the Favour of one from you of the 19*th* Current, for which I humbly thank you; that which I have to add touching his Electoral Highneſs *Palatine* (to the Account I gave you in my laſt) is, that from the Body of the *French* Embaſſy, I have no more for Anſwer upon the Overture I made them, than that *they do not know of any juſt Pretenſions of Damages that the Elector hath to make againſt the King their Maſter; that when he ſhall think fit to make any Propoſitions, the uſual Way of proceeding muſt be kept to; and that when he has a Deſire to re-enter into the good Graces of the King, he ſhall find him very well diſpoſed to receive him*: — This was the Anſwer M. *d'Avaux* brought me.

BUT M. *Colbert*'s Diſcourſe, when I made the Overture to him ſeparately, was not ſo calm; for he ſaid, that the Elector was ſo far from having any Right to be repaired in Point of Damages by *France*, that *France* might more juſtly demand Damages of his Electoral Highneſs, even more than his Electorate was worth; for that he was the Cauſe *Philipsburgh* was loſt, that the Duke of *Newburgh* and others took Party againſt them, and that they have loſt their Footing in thoſe Parts, *&c.*

M. *d'Eſtrades* was upon another Key, his private Opinion delivered to me was, that the Elector would do no good in putting in Propoſitions here; that the whole Negotiation was now in *England*; and that the King our Maſter might poſſibly get ſomething to be done for the Elector, it being but reaſonable there ſhould be a Conſideration had in *France* of his Electoral Highneſs, in Regard of the Dutcheſs his Daughter.

M. *Spanheim* will be going ſuddenly for *England* from his Electoral Highneſs; he told me, that by the laſt Poſt he had Orders to provide himſelf, his Diſpatches being then preparing.

ON *Friday* the Baron *Platt*, *Miniſtre Plenipotentiare* (that he ſays is his Stile) from the Duke of *Oſnaburg*, gave me a Viſit, within very few Hours after his being come to Town; he ſays, his Maſter hath reſerved to himſelf the laying Claim to the Right of ſending Ambaſſadors, expecting what thoſe of his Houſe that ſtir in it will be able to do; in the mean time, that he would not neglect his important Intereſt, but did ſend him to attend in this Treaty: He diſcourſed much upon the Subject of Ambaſſadors from the Princes of *Germany*, but nothing that I could perceive to be new; he told me how much the Duke his Maſter, and his Dutcheſs, rely upon his Majeſty's Support, for the perpetuating the Biſhoprick of *Oſnaburg* (which is now but alternative) in his Houſe; the *Dutch* promiſed him their helping Hand, but he expects all Oppoſition poſſible from the Nuncio, and all of his Communication; he complains exceedingly of the Emperor, in that the Winter Quarters promiſed the Duke in *Weſtphalia*, were not in the leaſt made good; yet he is ſatisfied in that his Highneſs the Prince of *Orange* and the Duke *de Villa Hermoſa*, have done with the Emperor what they have been able for thoſe Troops, which are not like to recruit again.

YESTERDAY in the Evening, M. *Stradtſman* intimated to me, by way, as it were, of Complaint, that his Majeſty having cauſed, on the $\frac{7}{17}$*th* Current, M. *de Burgomayne* to be acquainted with his Intention to make a Treaty with the Emperor, *Spain*, and *Holland* together, as ſoon as M. *Beuninghen* ſhould procure himſelf a ſufficient Power to that

Effect; yet that Count *Wallenſtein* had not been ſpoken to at any Time before or ſince touching that Matter; tho' he was provided and impowered to enter into any ſuch Treaty when he is called upon, and ſo are they, the *Imperial* Ambaſſadors here; the Emperor their Maſter being reſolved not to refuſe to enter into any Meaſures that ſhall bring us to a Peace that is ſafe and honourable: But he ſeemed to be the more troubled, that Count *Wallenſtein* is not ſpoke to, in that the *Engliſh* Letters of the $\frac{19}{29}$*th* Current, do ſpeak the Peace to be as good as made: He told me, he did very much wiſh, if the War went on, that the Peace in the *North* were finiſhed, and that the Emperor would contribute as much as he can to it; which will be of the greater Moment, in that the Princes that have made Conqueſts upon the *Swede*, have engaged not to come to final Partage and Diſpoſal of what they have got, but under the View and with the Conſent of the Emperor.

M. *Beverning* told me laſt Night, that our Act of Parliament againſt the Trafficking with *France*, will put them hard to it in this Country; for if they ſhould promiſe never ſo much to conform to us, they ſhall be never able to do it with Effect; the Example of the Prince, and ſumptuary Laws, might, he ſaith, reſtrain the Wear of ſome *French* Manufactures, yet they in this Country cannot live without their Wine, their Brandy, and their Canvas for Sail.

I cannot find either by him or any of the Ambaſſadors, there is any good Ground for what is here ſo confidently ſaid, of the Elector of *Bavaria*'s ſending to the *French* King, that he, the Elector, can remain no longer Neuter, unleſs *France* do give into the Project ſent it out of *England*: All the Certainty that yet appears is, that the Emperor hath from that Elector a minute Account of all he hath negotiated with the Cardinal *d'Eſtrée*; I, for my Part, never obſerved the *Imperialiſts* here to have any Apprehenſion that that Elector would declare againſt them, nor can I find that this Report does incline them to hope that he will declare for them in this Conjuncture.

M. *Heugh* made it his Requeſt to me laſt Night, that I might, by my moſt humble Repreſentation, either to his Majeſty, or to ſome of his Miniſtry, endeavour to prevent any Prejudice againſt them, the *Danes*, for that they have not a Miniſter in his Majeſty's Court, ſuch as the Neceſſity of their Affairs at this Time requires; that he would have me aſſure is, that what Peace ſoever his Majeſty ſhould deſire the King of *Denmark* to take, he would be ſure to ſhew all Complacency poſſible in it; if that of a General Peace, 'tis perfectly his Deſire; if a Peace only in the *North*, he ſhall not be averſe to it; hoping that his Majeſty will preſerve him in a Condition, wherein his Neighbourhood may not be of any Burthen, but ſtill of ſome Uſe, to the Crown of *England*; and that if his Majeſty will enter into a Truce, tho' there can be no ſuch without great Inconveniencies attending it, he will frame himſelf to it; but if the War is to continue, and his Majeſty muſt enter into it, he will do all he can on his Majeſty's Side, and might hope to be uſeful in ſome Proportion to his Zeal in the common Cauſe, if he might be eaſed of his preſent Engagements againſt *Sweden*; he expects, that by the next Ordinary, either Count *Antoine*, or himſelf, will have Orders to make what Haſt they can to paſs over into *England*; but in Regard M. *d'Olivenkrantz* is there already, and that M. *Oxenſtiern* gives out here that he is gone, for that his Majeſty had declared, he would be well pleaſed to have a Miniſter from *Swedeland* at this Time in his Court: M. *Heugh* is extreamly concerned, that his Majeſty ſhould be perſwaded, that the King of *Denmark* will do all that is in his Power

as it hath hitherto been, and will be continually his Care, to deſerve his Majeſty's Affection, and to ſhew all Deference to his Majeſty's Judgment and Deſires in any Kind.

He added, ſuch was the King his Maſter's Deſiré, to comply in any Thing that might be acceptable to his Majeſty, that if any Thing in the Commerce of *England* with that Kingdom could be propoſed, for the further Satisfaction of his Majeſty's Subjects, namely, ſuch Things as other Neighbour Nations do enjoy, they, the *Danes*, will be found always ready to agree upon Terms to his Majeſty's Content; hoping, that his Majeſty having ſo many Ways in his Power, whereby they, the *Danes*, might find their Account, would not be againſt their having that by Way of Compenſation, that would ſerve their Turn.

M. *Beverning* ſays, there is ſome ſecret touching the *Dane*, that his Majeſty and the Prince of *Orange* keep to themſelves; the Penſioner ſends him Word, *ſurſon Amé*, he knows it not; he believes 'tis ſomething that is altered in the Project, that was agreed on in the Treaty of *January* laſt; for the *French* here do give out, that that Treaty is varied in ſome Things; if the Particulars were known to him, he would be able, he thinks, to work with the *Spaniards* here, in Order to get them to agree to what his Majeſty and the Prince deſire, tho' it ſhould be the quitting of *Tournay*; in lieu of which, he is perſwaded, they would be content with ſomething elſe; and if ſo, they, the *Dutch*, have Reaſon to give into any Expedient: He hears the Parliament will not accept of a Peace, tho' *France* ſhould come up to the Project between *England* and *Holland*; but they, the *Dutch*, he ſays, will accept it with all their Hearts, if it may be ſo had. I remain, *&c.*

L. Jenkins.

Nimeguen, 28th March, 1678.

Right Honourable Sir,

Since my laſt of the *25th*, there are no *Engliſh* Letters come to Hand.

Yesterday Morning, M. *Heugh* having taken an Hour of me, came to tell me, that his Collegue Count *Antoine* had juſt then received preciſe Orders to go Ambaſſador into *England*, and to make all the Speed poſſible; he, M. *Heugh*, made it his Requeſt to me, that I would write to ſome of the Miniſters at Court, to beg the Favour that one of his Majeſty's Yachts might come over, and take him at the *Brill*, or any other where on this Side; it would be, he ſaid, a great Honour done to the King his Maſter's Ambaſſador; and that Count *Antoine* would receive it with all the Acknowledgment poſſible.

The Count, he ſaid, would be going from hence within four or five Days, that he may be at the *Hague*, or as near as can be, to prevent the loſing of Time, when the Yacht comes upon the Coaſt, in Caſe his Majeſty thinks fit to do him the Honour to ſpare him one.

M. *Heugh* added, that the Count deſired very much to ſpeak with me before he went, either at a third Place, or elſe to call upon me at my Houſe; I charg'd my ſelf with Writing about the Yacht, but deſired to be excuſed from having any Interview with the Count; telling M. *Heugh*, that my Orders were ſtill the ſame; that is, to inſiſt upon the firſt Notification and in Form, and that I was not at Liberty to depart from them, or to enter into any Temperament of my own Head.

THIS being over, M. *Heugh* entred into the ſame Diſcourſe, that I gave you an Account of in my laſt, of the King his Maſter's Readineſs to comply with his Majeſty's Deſires, firſt for a general Peace, if not that, for a particular one in the *North*; if that could not be got, for a Truce; and if that did not take Effect, for continuing the War; adding, how ready he would be to come to a further Gratification of his Majeſty's Subjects; in any Point of Commerce, that may be for the Advantage of the Nation; but cloſing all with a Deſire, that his Majeſty would be pleaſed to aſſure himſelf, theſe *Ouvertures* were very real and ſincere; and that he would be pleaſed, according to his great Equity, not to determine any Thing to the Prejudice of the King his Maſter, till Count *Antoine* his Ambaſſador ſhall have the Honour to lay before him the Particulars, wherein the King of *Denmark* does hope to give his Majeſty moſt ample Satisfaction in every Thing that he ſhall pleaſe to think reaſonable. On the other Side, he, M. *Heugh*, thinks the King his Maſter will hazard his Crown, rather than not have his Conditions ſomething mended in this Treaty, of what it was before, the *Swedes* lying ſo cloſe upon them in *Schoonen*, that they, the *Danes*, were not ſafe, he ſaid, in their Beds.

HE did not conceal the Apprehenſion they have of M. *d'Olivenkrantz*'s Negotiation in *England*, and of the Advices that are come from all Hands, of his having deſired of his Majeſty, in his Audience of the 18*th*, the Princeſs his Royal Highneſs's Daughter, the Lady *Ann*, for a Wife for the King of *Sweden* his Maſter; he could not but Wonder at the Proceedings of the *Swede* therein, as very ſtrange; they, in *Denmark*, looking upon the Match between that King and their Princeſs as ſuch, that the King could not go back from; it would be ſo reputed, he ſaid, in the Caſe of private Perſons; and he, M. *Heugh*, had once thought, M. *Oxenſtiern* and *d'Olivenkrantz* here had underſtood it ſo; for that upon his firſt coming hither, they had complemented him upon it, as a Thing they doubted not but would be effected, and conſequently be the Means of a Reconciliation between thoſe two Crowns.

I did not obſerve he mentioned one Word of a Contract, nor of a Proxy in this Caſe; nor did I enter into any Diſcuſſion with him about a Matter ſo nice in it ſelf, and ſo foreign to our Commiſſion here.

I take leave to ſend you encloſed, a Letter that I received yeſterday by a Gentleman, that calls himſelf *Deputé* of the Count *de Naſſaw-Sarbruck*; it will be too long to trouble you with a Deduction of his Pretenſions; I have adviſed the Gentleman to put them into Writing; this Count *de Naſſaw* is elder Brother to the Lieutenant General of Horſe in the Prince of *Orange*'s Army. I am, *&c.*

L. Jenkins.

Nimeguen, 1ſt April, 1678.

Right Honourable SIR,

SINCE my laſt, which was of the 28*th* paſt, nothing hath occurr'd here (that I know of) worth your notice; and the *Engliſh* Letters of *Tueſday* being not come to Hand, I ſhall not enlarge your Trouble at this Time, any further than to aſſure you of my being very unfeignedly, *&c.*

L. Jenkins.

Nime-

Nimeguen, 4th April, 1678.

Right Honourable Sir,

My laſt was of the 1*ſt* Current; I have ſince the Favour of yours of the 26*th* paſt, and do humbly thank you for it; more particularly for the Tranſcript you are pleaſed to give me of your Letter of the ſame Date to the *Hague*.

On *Saturday*, I ſpoke with M. *Haren* upon the Subject Matter of it; he ſaid, he did not know, whether the Power to M. *Van Beuninghen* was yet diſpatch'd or not; but acknowledged, there was one Article of Inſtruction (which muſt accompany it before any Thing can be done with Effect) that requir'd Time to digeſt, and would not be ready till the States of *Holland* do meet again, which, he ſaid, will be this Day ſevennight.

The Article is, how far they (in *Holland* eſpecially) will be able to give in to the Demand his Majeſty will make, for the breaking off all Commerce with *France*; it is the great Intereſt, he ſaid, of the Towns in *Holland*, that that Queſtion be well ſettled; to that End, all that are concern'd in the *French* Trade at *Amſterdam*, are to meet at the Town Houſe there, and to be heard upon the whole Matter; when the Merchants are heard, then the States will deliberate; he ſaid, it was poſſible the Traders might be content to forbear that Trade wholly; but that he could not ſee, how they will be brought to it, unleſs they have a full Aſſurance, that we and others will abſolutely forbear, and break off from that Trade as well as they; for they will never endure that we and others have Advantages, by carrying it on underhand, while they ſit ſtill and do nothing. He ſeems not to be of the Opinion of M. *Beverning*; but that this Country can do well enough without the *Canvas*, or the *Brandy* of *France*.

M. *Colbert* was on *Monday*, in a Viſit I gave him, more particular with me, in what I told you ſome while ſince, of the Offer the *Spaniſh* Ambaſſadors here made to him and his Collegue. The *Ouverture* was made by the Nuncio, that if the *Spaniards* might have *Valenciennes* again, they would come to a Temperament about *Tournay*, but expected an Equivalent in ſome of the low Lands for the *Païs Tourneſis*; and it was added, that unleſs this Offer were cloſed with, and the Peace forthwith made up, it ſhould be taken as if it had never been made; they, the *French*, excuſed themſelves, for that they could not hearken to any Thing leſs than the King their Maſter's Demands, and for that the whole Negotiation was put into his Majeſty's Hands; of this they writ to Court, and their very Letter was ſent over into *England*, and ſhew'd his Majeſty; but having had an Anſwer from their Court to give the *Spaniſh* Ambaſſadors, they neither ſpoke nor heard more of it, for then the Siege of *Ghent* came on, *&c.* only the Nuncio made them a Complement not long ſince, by Way of civil Reproach from *Don P. Ronquillo*, in that they had not vouchſafed any Kind of Anſwer to the *Ouverture*.

I do ſuppoſe the *Spaniſh* Ambaſſadors here, had had Communication of his Majeſty's Project with *Holland* before they made this *Ouverture*; (for the Emperor acknowledges his Ambaſſadors had had ſome Light in it from them) ſo 'tis to me a Wonder, what dormant Power theſe *Spaniſh* Ambaſſadors have, and whether it be from *Madrid* or *Bruxells*, in

in Matters of ſo great Importance, that were known to be at that Time in his Majeſty's Hands.

M. *Colbert*, in the reſt of his Diſcourſe, was very much upon the Strength and Safety that *Flanders* would be in again, if the Places that *France* offers to reſtore were accepted of, and a Peace made upon it; yet I find his Diſcourſe to M. *Chriſtine* (not long ſince) was upon another Key; that *Flanders* will coſt the *Spaniards* too much to keep; that as the *French* Frontiers are now advanced, they will be able to render themſelves Maſters of it when they pleaſe; therefore that it would be no ill Policy now to part with it, and make their Terms better ſome other where.

Just at Noon, the three *French* Ambaſſadors having taken an Hour of me, came to deliver me a Declaration (as they ſaid) of the King their Maſter's Mind, whereby we might know, upon what Terms the Peace might be had; he having brought his Reſolutions to a Point, and leaving it to thoſe that are in the War againſt him, to take their Choice, either to accept of thoſe, or to continue the War.

M. *Colbert* ſpoke all; (the Marſhal having referr'd himſelf to him) telling me, that the Detail of what was to be ſaid, required a very good Memory; he begun with *Flanders*, and was very particular in naming, not only the Places the *French* King would reſtore, and the Places that he pretended to retain, but alſo a great many little Towns, as *Chaſtellanies*, and Dependencies; he will reſtore *Ghent*, but will retain *Ipres*; he muſt keep *Dinant*, unleſs he may have *Charlemont*: Other Things are to go much according to the firſt Offers that King is ſaid to have made to his Majeſty. From *Flanders*, he went to *Germany*, and then declaring the great Zeal his Majeſty has for the Treaties of *Weſtphalia*, he would have nothing chang'd in them, only in Caſe the Emperor detain'd *Philipsburgh*, he would keep *Friburgh*.

Then he went to *Lorain*, which that Duke may have reſtored to him, either as it was propoſed in the Treaty of the *Pyrenées*, or elſe he may have it entire; (*Marſall* and the *High-Ways* remaining to *France*, as they are already adjuſted by Treaties) with the yielding of *Nancy* to the *French*, and accepting *Toul* in lieu of it.

For the States General, he ſaid, the Treaty of Commerce would be agreed to near about the Matter, as M. *Beverning* and they have come to an Underſtanding about it; and for the Barrier they have ſo much inſiſted on, he hoped there was a very ſufficient one now left them.

One Point, he ſaid, the King his Maſter did inſiſt upon, as indiſpenſably neceſſary, and antecedent to all the reſt: It was the Reſtitution of his Allies; he named *Sweden*, and its Ally the Duke of *Holſtein Gottorp*, then the Biſhop of *Strasburgh*, Prince *William*, and that whole Family.

The Cloſe was, after a large and often repeated Declaration of the Deſires the King his Maſter had of a Peace, that he would be content to tie himſelf to theſe Terms till the 10*th* of *May*; but if they were not accepted by that Time, he intends to be free, as if they had never been offered.

It being our Manner here to recapitulate what is ſaid or recommended to us in any Kind, I told the Ambaſſadors, I would endeavour to do it; yet in Regard of the many Particulars that had been delivered, I could not hope to retain all; and that my Memory would need ſome further Aſſiſtance from them, or elſe I ſhould not be able to give his Majeſty that Account I ought, of an Affair of this Importance; they told

told me, I need not be ſollicitous of that, for what they had ſent them from Court upon this Subject, was but a Tranſcript of their King's Letter to M. *Barillon:* They had indeed Orders, they ſaid, to give me, as Mediator, a Relation of the whole, but they had no Office of mine to deſire upon it, becauſe nothing of it was to be negotiated here; only they are concerned, that all the World ſhould know upon what eaſy fair Terms *Chriſtendom* may be reſtored to Peace; and they hoped his Majeſty would be able to make that Uſe of it, as to bring the laſt Reſolutions of thoſe that are in War againſt *France* up to theſe Terms, now that he hath the very laſt Word that their King will come to, committed to him.

M. *Colbert*, as he mingled many Things touching the King his Maſter's Force, and fair Proſpect of further Conqueſts, but that he is willing to ſacrifice all to the Repoſe of *Europe*, ſo he ſaid the War would be after the 10*th* of *May* carried on probably with a bigger Force than hitherto hath been ſeen; and particularly, that there would be ſuch an Impreſſion upon the *Catalonian* Side, as would quickly make the *Spaniards* repent of their having refuſed a Peace upon theſe Terms. He did not mention *Sicily* at all, tho' he left no other Place that *France* is concern'd in unmention'd.

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You will find by the incloſed Letters, which we have from *Don P. Ronquillo*'s Secretary, how the News of *Meſſina* is confirmed; and the Letters come in this Day to the *Imperialiſts*, ſpeak the Duke of *Lorain* to be on his Way within a Day's Journey to his Army. I am, *&c.*

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Nimeguen, 6th April, 1678.

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In the cloſe of my laſt, which was of *Thurſday* the 4*th* Current, I gave you the beſt Account my Memory was able to furniſh, of what the *French* Ambaſſadors had diſcourſed with me that Day at Noon, tho' I did move them for the Liberty to take ſome Extract for the Help of my Memory; they telling me, the Recapitulation I made them, ſhewed me ſufficiently to retain the Subſtance of the Thing, and there was no need of any more; only if I ſhould find it neceſſary, I might ſend a Secretary over to M. *Colbert*'s the Day following, which was yeſterday, after their Poſt ſhould be gone, and then a Secretary of theirs ſhould dictate the Subſtance of what had been ſaid: I ſent to M. *Colbert*'s accordingly, and his Secretary gave mine the incloſed Memorial.

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French

French had not made any Sort of Requeſt to me, to communicate to the Allies what they had diſcourſed to me, I ſhould do beſt to give them an Account of it, as a Thing that, in Regard of the Function I had the Honour to ſerve in here, was proper for me to impart to them, and leave it with them; adding no more, but that I ſhould be ready to receive their Orders upon that or any Thing elſe.

THEREUPON I went to the *Imperialiſts* and the *Spaniards*, then to M. *Heugh* and M. *Cannon*, making a ſuccinct Relation of the Thing, but telling them withal, I did it not as being thereto requeſted, but that I imparted it to them as an Incident come in my Way, that did directly and immediately relate to the Negotiations of this Place.

THE *Spaniſh* Ambaſſadors asked me, while I was with them at M. *de los Balbaſes*, whether I, as Mediator, gave them that Relation, as a Propoſition from the *French* Ambaſſadors, and whether I expected an Anſwer upon it; they told me, the Reaſon why they asked me that Queſtion was, for that the Nuncio, about half an Hour before, had delivered the ſame Thing in Subſtance to the *Imperialiſts* and them, as a Propoſition that had been formerly made to the King our Maſter, and now repeated to him, as one of the Mediators, in order to be communicated to thoſe Allies with whom he mediates; and that they had given them their Anſwer upon it, whereof they were pleaſed to put a Copy into my Hands, which goes herewith: My Anſwer was, that I had no Commiſſion from the *French* Ambaſſadors to that Effect; that the *Devoirs* of my Function led me to do what I did; but that if they had any Anſwer or Communication to charge me with towards the *French*, I would receive it, and give them the beſt Account I could.

HAVING done with them, and afterwards viſited M. *Heugh* and M. *Cannon* at their Houſes upon the ſame Errand, I went ſtrait to M. *Colbert* (for Fear of my being in a Miſtake) to acquaint him with the Queſtion that was made me at the *Spaniſh* Ambaſſadors, and with the Reaſon that was given for it; the Nuncio having, it ſeems, delivered their Diſcourſe as a Propoſition, and I not; and he having had an Extract in Writing of what had been imparted to him, and left it with the Allies, and I none; he, M. *Colbert*, fell into ſome Paſſion, and utterly diſavowed what the Nuncio had done by way of Propoſition; ſaying, their Deſires to him, and after to the Auditor, were very expreſs, not to paſs any Offices at all with the Parties, but only to make ſuch a Publication of the Thing, as he in his Diſcretion ſhould think fit; and as for the Extract, he ſaid, the Nuncio being earneſt with him to have ſomething to help his Memory, they had laid the Memorial (whereof the Copy goes incloſed) before the Auditor, and had taken ſuch Notes out of it in *Italian* as he thought fit.

THIS Morning M. *Haren* giving me the Favour of a Viſit, told me, the *French* Ambaſſadors did diſavow what the Nuncio had done in advancing any ſuch Propoſition from them to the Allies.

AN Hour after, M. *Colbert* came to tell me from his Collegues (he ſaid) and himſelf, that they did not mean what they had diſcourſed unto me as a Propoſition, or that they could enter into any Debates upon that they had diſcourſed, but that they had ſince been with the Nuncio's Auditor, and acquainted him, that if he, the Nuncio, had offered any Thing yeſterday by way of Propoſition to the Allies, it was not according to their Meaning; and that if he had any Anſwer to give them, they would receive none, unleſs it were a plain one, by way of direct Conſent to the Things as they were propoſed; that he came to adviſe me of the ſame Thing; and that if I ſhould be charged with any Anſwer

from

from any of the Allies towards them, they ſhould not be at Liberty to receive it, unleſs it were a downright Acceptance of every Thing.

I could not chooſe but obſerve to him, (he enlarging upon the Effect this Declaration ought in all Reaſon to have for the juſtifying of his Maſter) that the Term to the 10*th* of *May* was ſo ſhort, it was impoſſible for the King of *Spain* and the Emperor to know it Time enough, if they ſhould be willing to accept the Conditions. To this he told me, that theſe Propoſitions had been in the King our Maſter's Hands for about theſe 4 Months, and therefore that they did know them, and might have accepted them long ago; but when it was obſerved to him, that that could not be as to all of them, ſince the Demand of *Ipres* is but very lately added to them; his Reply was, that the *Spaniards* not having accepted them before the Siege of *Ghent*, muſt make Account to loſe ſomething by it.

In this Converſation he ſaid, that in his private Judgment the diſſolving of this Aſſembly would ſuddenly follow, in Caſe the Peace be not made before the 10*th* of *May*, *ce ſeroit un peu honteux* (thoſe were his Words); for the King his Maſter to be one of the laſt that ſhould call his Ambaſſadors hence: He ſaid further, that as this Memorial was not intended for a Propoſition to the Parties, ſo it was not meant a Manifeſtation to the World; he thought the King their Maſter would expect the Iſſue of the 10*th* of *May*; and then if he muſt continue the War, he would juſtifie his Proceedings to the World by a more ample Deduction than this is.

This Incident ſeems to me of that Importance, that I cannot but ſend it away with Haſt by one of my Servants; for the *French* Ambaſſadors ſaying, they will admit no Debate upon the Paper, nor receive any Anſwer to it, but a ſingle *one*, they ſeem to me to break off all Negotiation here: And they intend not this Writing for a Manifeſto, but inſinuate withal, their Maſter intends it for his Juſtification; and I am credibly informed, there are ſeveral Copies of it gone Abroad already; beſides that, they ſay there will in all Likelihood a yet larger Deduction follow 'ere long: Another Thing is, they do, according to my Underſtanding, ſet too hard the Buſineſs of *Sweden*, as you may pleaſe to remember they did that of Prince *William*, upon his Majeſty. Only they are pleaſed to contradict themſelves in one and the ſame Line; for *ayant poſſitivement promiſe*, is ſo qualified by *feſant fort*, that it is, to my thinking, no more than the promiſing good Offices; which Promiſe cannot be underſtood to be poſitive in the Senſe they would have it, it being at moſt but an undertaking for that which is out of one's own Power, and in the Power of a third Perſon; this I take Leave to hint, for that I find the *Spaniſh* Ambaſſadors, and M. *Heugh*, much troubled at the Expreſſion, and they ask of me ſome Explication of it: This and the reſt I moſt humbly take Leave to ſubmit to his Majeſty's Reflexions and Pleaſure, and remain, *&c.*

L. Jenkins.

Nimeguen, 8th April, 1678.

Right Honourable Sir,

In the Diſpatch I troubled you with on *Thurſday* the 4*th* Current, by the Ordinary, (ſince which I have not the Favour of any from you to acknowledge) and in another of *Saturday* the 6*th*, which I ſent by an Expreſs that went hence yeſterday Morning; I gave the fulleſt

Account I was able, of the Diſcourſe the *French* Ambaſſadors had made me, touching the Conditions upon which their Maſter will make the Peace; by that Expreſs, I ſent you alſo the Memorial itſelf, and what had followed upon it.

YESTERDAY in the Evening M. *Heugh* was with me, to deſire a Copy of it, telling me it was common enough about the Town, but that he choſe to ask it of me, having underſtood, he ſaid, I was at Liberty to give it: His Notion was, that it was to the Advantage of the Allies, that a Declaration of ſo much Height, and ſo little Reaſon, ſhould be made known to the World. He ſaid, M. *Colbert* did two Nights ago, in an Aſſembly of mixt Company, value much the *French* Counſels upon it; ſaying, it was for the greater Glory, and would be for the greater Advantage of his King, to make this Declaration, and even to raiſe his firſt Terms and Demands, at a Time when the Parliament of *England* made their Menaces againſt them.

ON *Saturday* M. *Oxenſtiern* was to deſire my Office in the Behalf of the Duke of *Holſtein* with the Allies, who are ſome of them much offended, to find that Duke become Part of the Care of *France*, and declared in this Incident to be an Ally of *Sweden*; M. *Oxenſtiern* and the *Holſtein* Miniſter ſeem to fear the King of *Denmark* may take Advantage from this Declaration, and fall foul again on that Duke upon this freſh Occaſion; therefore I thought ſafeſt not to give that Clauſe in it to M. *Heugh* in Writing, before I ſpeak with the *French* upon it, who may, if they pleaſe, give it a fair and true Explication; for he is no Ally of *Sweden* in Reference to this War with *Denmark*, but upon other Occaſions that cannot be taken Exception to.

M. *Oxenſtiern* asked me, whether the *French* had in their Diſcourſe to me ſaid, that the King their Maſter intended the Peace ſhould be treated here at *Nimeguen*, and not elſewhere; they having told him, they had Orders ſo to declare; but I cannot call to Mind any Thing in their Diſcourſe, nor do I ſee any Thing that is in their Power to that Effect. He hopes to congratulate 'ere long with me, upon the good Succeſs of M. *d'Olivenkrantz* his Negotiation in *England*, a Secretary being arrived there with Inſtructions of the utmoſt Importance, in order to a ſtricter Union of both Crowns. He, I perceive, ſhould have been the Ambaſſador into *England*, had not M. *d'Olivenkrantz* been gone already: The *French* Ambaſſadors make Account, he ſays, to employ all the Force they had in *Sicily* in *Catalonia*, and have aſſigned a Being to the *Meſſineſis* in ſeveral Places in *Provence*.

THE ſame Evening, M. *Stradtſman*, favouring me with a Viſit, after a Converſation upon ſeveral Matters leſs important, entered into a very ſerious Diſcourſe of the great Propenſion the Emperor his Maſter hath for his Majeſty; he having acquainted them, his Miniſters here, with his earneſt Deſire to enter into the ſtricteſt Alliance and Confidence poſſible with the King; which he had Orders, he ſaid, to make known to me: The Emperor, he ſaid, wanted more Light in the Affairs now on Foot, than that he had from his own Miniſters. He would not, he ſaid, enlarge upon the juſt Pretenſion the Emperor hath, in Regard of his Alliance with the States General, to have a fuller Knowledge than he hath had of the Progreſs of the Peace, and Meſſages that paſſed backward and forward, he having no Commiſſion to complain of any ſuch Thing; but he was ordered to tell me, that the Emperor relies upon his Majeſty's known Generoſity and great Equity, in relation to the Care of *Chriſtendom*; and is confident, will, out of his known Care for all the Parties, as their General Mediator, have a juſt Regard to him, the Emperor,

peror, and his particular Intereſts. It was well known, he ſaid, that the Emperor entered not into this War for any End of Glory or Conqueſt, he was forced into it for his own Safety, and the preſerving of his Neighbours: If his Majeſty do enter into the War, all the World will ſee, and ſay, it will be upon the ſame Motives, and with the ſame Principles; and that will ſtill be a new Engagement, greater than ever, to the Emperor, to uſe all Means to manifeſt a ſincere Friendſhip on his Part, and a Zeal to give his Majeſty all Satisfaction in his Power: And tho', he ſaid, *England* and the Empire are at ſuch a Diſtance aſunder, that there hath not been of late any Intercourſe of Moment between the two Nations, yet a ſtrict Alliance between them will be always conſiderable and uſeful, but eſpecially at this Time, when their Forces, if well concerted, as they may be, will (with the Conjunction of others, whoſe Intereſt will bring them into the Party) be able (under God) to procure a good Peace, and alſo be the Means to maintain it. One Thing he repeated pretty often, that his Majeſty may reckon for certain that the Emperor will be able to bring a good Army of between 30 and 40,000 Men every Year into the Field, and that conſtantly, tho' the War ſhould continue long. 'Tis true, he ſaid, in one Thing they, the *Germans*, will be always ſhort, they will never be able to come into the Field till the Month of *May*, when the Forage is grown; but when they do come, they will be found to be good Men, not inferior to the *French*; this he ſaid, that as long as pleaſed God they have not a War with the *Turks*, the Emperor will have an Army (tho' *Bavaria* and *Hanover* ſhould ſtill refuſe their Quota) that will amount to that Number. This was his Diſcourſe, and it ſeemed to me much premeditated. He ſaid it would be a Favour to him, if I would charge my ſelf humbly to inſinuate to his Majeſty theſe Propoſitions of the Emperor, and likewiſe repreſent to him, that the Force which the Emperor is able of himſelf to keep on Foot, is not ſo inconſiderable as poſſibly it is ſaid or thought to be on that Side; the Army for this Year being in all Reſpects as good as it was the laſt Year, and moſt of the Recruits, which are very great, being out of the Hereditary Countries only. What this ſhould mean, eſpecially in this Conjuncture, I humbly ſubmit to you to determine; if his Majeſty ſhould think fit to have any Thing ſaid upon it, you will pleaſe to favour me with your Directions.

I perceive by him and M. *Heugh* too, that there is an Apprehenſion among the Allies, that the *Hollanders* intereſting themſelves as much as they do, for continuing ſome Sort of Commerce with *France*, may bring long Delays, if not Obſtruction, upon the Quadruple Alliance, notwithſtanding that there be a Power diſpatch'd to M. *Van Beuninghen*; *The Governours*, ſaid M. *Heugh*, *in ſuch Caſes muſt yield to the People*; that was the Excuſe the Penſioner made to the *Danes*, when they of *Holland* had made a Treaty of Commerce with *Sweden*, expreſly againſt the Agreements between them, they having been forced to it by the Clamours of their People. I remain, *&c.*

L. Jenkins.

Nimeguen, 11*th April*, 1678.

Right Honourable Sir,

SINCE my laſt, which was of the 8*th*, I have the Favour of yours of the 5*th* Current to acknowledge; it brought with it Matters of great Joy to M. *Heugh*, in that his Majeſty is pleaſed to order a Yacht

for Count *Antoine*'s Tranſport; for they (the *Danes* here) had been alarmed, that the *Swediſh* Miniſters on that Side did labour, and had put in a Memorial in Writing, in Order to divert his Majeſty from doing the Count that Honour.

M. *Hough* told me yeſterday, the Count ſets forth hence to Morrow: He will be ſure to have that intimated to him by M. *Petcum*, which you are pleaſed to ſuggeſt, touching our Commerce in the *Zundt*, &c. before he goes: M. *Spanheim* is like to bear him Company; his Orders to go to *England* being come to Hand yeſterday by Expreſs.

M. *d'Eſtrades* hath given out, that Count *Oxenſtiern* hath Orders (which he had communicated to the *French* Ambaſſadors) to go Ambaſſador into *England*; but M. *d'Avaux* underſtands it, that he ſhould have gone, if M. *d'Olivenkrantz* were not there already; for when the Orders for M. *Oxenſtiern*'s going were given, it was not known that M. *d'Olivenkrantz* was gone into *England*. Count *Oxenſtiern* was with me late laſt Night, to deſire my Offices towards the *Dane*, and the reſt of the Allies, upon the Memorial touching the Duke of *Holſtein* that goes herewith, but did not tell me any Thing of a Voyage into *England*.

On *Monday*, I was with the *French* Ambaſſadors, to inſinuate to them, as I had been requeſted by M. *Platen*, that I was poſſeſſed of the Power that the Prince of *Oſnaburg* had given his Miniſter; that I was authorized by him to exhibit in Form, as ſoon as they ſhould deſire it; and that he deſired to ſee a *Contre* Power from them, ſuch as the Elector of *Brandenburgh* hath had produced to them.

Their Anſwer was, they had no *Contre* Power to produce, nor would they write for any; the King their Maſter being reſolved not to exceed the Number of five, he had long ſince agreed to, and given out; that his Miniſter muſt joyn himſelf with one of the five principal Allies, (the Emperor, *Spain*, *Denmark*, *Brandenburgh*, or the *Dutch*) and that they would not ſo much as reproduce again in his Conſideration, any one of the Powers that they have already exhibited; nor do they deſire, they ſaid, to ſee his Power, but are content it ſhould be in my ekeping.

You will find a Clauſe in this Power, whereby the Prince reſerves to himſelf the Security of giving his Miniſter the Character of Ambaſſador: I telling him that Clauſe will never paſs, we being here ſo ſtrictly tyed to the common Form; he has acknowledged, that the Allies themſelves (among whom he is to be admitted this Day) took Exceptions to it; ſo that if he is continued, he muſt get another Power, that hath no ſuch Clauſe, as he will, being to go to Morrow for *Oſnaburg*.

He would have me paſs the ſame Office with the *Swede*, tho' he had no particular Power to produce for treating with *Sweden*; he thought that the Allies of the *French* King, being mentioned in the Power to treat with him here, needed no more: But I ſhewed him, how the Elector of *Brandenburgh* had furniſhed a diſtinct Power to treat with the *Swedes*, in the very ſame Terms as that which was for the *French*.

In this Conference with the *French*, I acquainted them, how his Highneſs the Elector *Palatine* had deſired I would give his Miniſter here, in Writing under my Hand, the Anſwer they, the *French*, had given me upon an *Ouverture*, I had ſome Weeks ago made to them in the Elector's Behalf; being not at Liberty to do it by the Stile of this Aſſembly without their View, their Anſwer was, that the *Ouverture* I made them coming from M. *Spanheim*, who hath no Power (they know of) to

to negotiate here, they could not conſent to my giving in Writing what paſſed between me and them: Beſides, they obſerved to me, that I had produced no Writing to them, and that they underſtood what I laid before them, not as Matter to be treated upon, but as Means conducing to give Eaſe to his Electoral Highneſs in the Way of treating.

THEN I acquainted them, how I had paſſed my Offices on *Friday* laſt with M. *Kinski* and *Stradtſman*, in the Name of M. *Ducker*, as Party principal, for his being admitted, and his Propoſition received in the Behalf of his Maſter; then, I acquainted them, the *Imperialiſts*, how they, the *French*, had been with me, on Purpoſe to ſecond M. *Ducker* in this Point; and beſides, had deſired me to renew my Inſtances for the Liberty of Prince *William* of *Furſtemburgh*. That the *Imperialiſts* had anſwered me, that thoſe two Points had had a good while ſince a full Anſwer given upon them, and were according to the Senſe and Directions of his *Imperial* Majeſty; and that they had not ſince underſtood any the leaſt Change in the Emperor's Mind. Here M. *Colbert* broke out into ſome Words of Heat, ſaying, *Ceſtune Declaration formelle que ils ne veulent pas la Paix.*

THE laſt Thing I mentioned to them, was the Alarm the *Holſtein* Miniſters are in, upon the Mention made of their Maſter in the *French* Declaration, that they had required my Offices to give ſuch an Explication to it among the Allies, as would ſave him from being reputed an Ally, either of *France* or *Sweden*, in this War: That I had anſwered, I ſhould not take upon me to give an Explication to their Words, without I ſhould be firſt authorized by them to do it; they told me, that what they had done, having firſt had their Maſter's Leave, was at the Requeſt, and with the Allowance, nay even in the very Words of thoſe Miniſters, and M. *Oxenſtiern*'s too; ſo that they would do no more in it, but leave it to thoſe that had ſet them on Work, to find out, and give me what Explication ſhould be moſt for their Turn; or elſe to let it alone.

ON *Tueſday*, M. *de los Balbaſes* favoured me with a Viſit, to thank me for the Part I had given him and his Collegue, of the Diſcourſe the *French* Ambaſſador had made me, upon the Conditions of the Peace; it was a Wonder, he ſaid, why they ſhould be ſo ſhy in giving me a Copy of their Declaration, ſince it became ſo common, that his Caterer did, on *Saturday* Morning, upon the Market Place, buy of a *French* Lacquey, ſeveral Copies of it at ſix Stivers a Piece; this Way of diſperſing Copies for ſix Stivers a Piece was told me of by ſeveral Perſons beſides.

THE Marquiſs told me, (as he was pleaſed to ſay) that *Don P. Ronquillo* would be going within two or three Days for *Flanders*; the Pretence given out is, to look after his particular Affairs; but is in Truth to remain there, and be aſſiſting in the Government; the Marquiſs ſays, he hath been the Author of this Counſel to *Don Juan*, for the Experience *Don Pedro* hath in the *Engliſh* and *Flemiſh* Affair. He was pleaſed to entruſt this with me as a Secret I might write of to Court; but I find 'tis far from being ſo; nor is it told but with Diſadvantage to the Duke *de Villa Hermoſa*.

IN the Afternoon, *Don Pedro* himſelf did me the Favour to give me a Viſit of Adieu; he does not, he ſays, give up his Houſe here; and being named Plenipotentiary ſtill in the Marquiſs *de Fuentes* new Power, he will be ſure to return, if there be any Buſineſs. He told me, the *French* in their Diſcourſe to the Nuncio on this Day ſevennight, about the Conditions of the Peace, had ſet it hard upon his Majeſty,

as

as if their Conditions had been a long while in his Majeſty's Hands; and that he had done nothing upon them, *ayant d'autres viſées*, &c. This ſeems to me the more likely to be ſo, from the very Anſwer (which I ſent you by the Expreſs) that the Allies gave in *Italian* to the Nuncio, when he imparted to them on *Friday*, what he had heard from the *French*.

M. *Heugh* told me yeſterday, that M. *Colbert* had told him, that altho' it might be expected that ſome fair and obliging Mention ſhould have been made of the Prince of *Orange* in his Declaration, and thereby the World ſee, that *France* had a Regard to his Intereſts and to his Advantage; yet they choſe not to do it, and to paſs him by, not doubting, but that the Prince will in Time find, that he hath more need of the *French* King's Protection, than the King hath of the Prince's Friendſhip. I gave you ſuch another harſh Expreſſion of M. *Colbert*'s touching *England*, in my laſt; what Uſe or Judgment is to be made of ſuch Relations, I wholly ſubmit, and am, *&c.*

L. Jenkins.

To the Prince Elector *Palatine.*

Nimeguen, $\frac{12}{22}$th April, 1678.

May it pleaſe your Electoral Highneſs,

IT is an infinite Condeſcenſion in your Electoral Highneſs, to give your ſelf the Trouble, even with your own Hand, to let me know, that my little Offices here are not unacceptable to your Electoral Highneſs; tho' at the ſame Time, I have Reaſon to be diſſatisfied with my ſelf, ſince it is impoſſible for me to bring my Performances to bear any Proportion to the Duty I owe, in the Concerns of your Electoral Highneſs, to his Majeſty the King my Maſter's Content, nor to the Zeal I have for your Electoral Highneſs's Service.

M. *Spanheim* will, I doubt not, have given your Electoral Highneſs an Account by the laſt Poſt, of my being not at Liberty, without the *French* Ambaſſadors Leave and Approbation, to give any Relation under my Hand in Writing, of the Offices I had paſs'd with them by your Electoral Highneſs's Commands. It muſt not be denied, but that it hath been more than once decided in this Aſſembly, that the Mediators ought not to give any Account in Writing, of what may have paſs'd between them and any of the Parties, without the Knowledge and the Leave of that Party, with whom they have paſs'd.

THE *French* Ambaſſadors could not, they ſaid, in this Caſe, allow there was any Anſwer regularly to be made to my *Ouverture*; for that M. *Spanheim* (tho' a Perſon they profeſs to have a very great Eſteem for) wanted that which they reckon to be fundamental; that is, a *Plenipouvoir* in due Form.

I produced to them the Letter I had the Honour to receive from your Electoral Highneſs; whereby it is your expreſs Pleaſure, I ſhould give M. *Spanheim* Credit, and order my Offices as he ſhall deſire and ſuggeſt: I urged to them further, what M. *Spanheim* had read to me upon this Point, out of your Electoral Highneſs's own Letters; but all without Effect. They confeſſed to me, that I am not to refuſe my Offices to any of the Parties in the War, tho' their Miniſters ſhould happen not to be authorized in Form; yet they obſerved to me withal, that the adverſe Party was at Liberty to ſuſpend all Anſwer,

and

and to excuſe himſelf from entering into Matter till the Preliminaries be complied with.

M. *Spanheim*, when I had given him an Account of my ill Succeſs upon the firſt Memorial, dated the 28*th* of *March*, gave into my Hand a ſecond Memorial, dated the 30*th* of the ſame Month, ſigned likewiſe by your Electoral Highneſs.

I ſhall humbly take Leave to lay this laſt Memorial before your Electoral Highneſs in all its Parts; upon ſome of which I ſhall, without Delay, paſs my Offices; upon the other, I think it ſafeſt to expect your Electoral Highneſs's further Orders before I proceed.

Firſt, It is your Electoral Highneſs's Pleaſure, I ſhould repreſent to the *French* Ambaſſadors, that your Electoral Highneſs is in Hopes the Moſt Chriſtian King will not take it amiſs, that your Electoral Highneſs continues ſtill to make Uſe of the King my Maſter's Interpoſition.

Secondly, Your Electoral Highneſs is perſwaded, that the Moſt Chriſtian King will, of his Goodneſs and Equity, have a Regard to your great Loſſes and Sufferings by this War, and that it is in this Senſe that your Highneſs receives, with all due Reſpect, the *Owvertures* that the *French* Ambaſſadors have made of the King their Maſter's Friendſhip for you.

Thirdly, That your Electoral Highneſs (that the Peace may ſuffer no Delay upon the Account of your particular Intereſts) is willing to wave all Capitulations, much more all Diſputes with the Moſt Chriſtian King upon thoſe Pretenſions, that your Electoral Highneſs conceives otherwiſe to be very juſt, and to refer them to the Moſt Chriſtian King himſelf, to the End he may pleaſe (when he ſhall be diſpoſed to make a Peace with the Empire) to chooſe ſuch Means, as he in his Generoſity ſhall judge moſt proper, towards repairing, in ſome Meaſure, the great Loſſes your Electoral Highneſs hath ſuffered by the War; whether he pleaſe to do it of his own proper Motion, or upon the good Offices of the King my Maſter, or elſe by Stipulation upon your Electoral Highneſs's Caſe, to be made Part of the General Treaty of Peace.

Upon the two firſt Points, there is no Difficulty at all, why I ſhould not forthwith paſs my Offices, nor yet upon this third Point; but that your Electoral Highneſs ſeems to make the demoliſhing of *Philipsburgh*, and the Benefit of the *Weſtphalia* Treaties, to be neceſſary Conditions, without which it does not appear that your Electoral Highneſs would acquieſce in either of the three ſeveral Ways whereby you propoſe to come to an End of the Differences with *France*, or would enter upon Treaty with them.

Your Electoral Highneſs will have receiv'd by the laſt Poſt, I doubt not, from M. *Spanheim*, the Declaration that the *French* Ambaſſadors have given Abroad here (tho' in an odd Way), of the Conditions upon which the King their Maſter is willing to make a General Peace. Your Electoral Highneſs will have obſerved therein, how the demoliſhing of *Philipsburgh*, and the due obſerving of the *Weſtphalia* Treaties, is made to depend upon the Reſolution of the Emperor and the Empire; ſo that if I, in my Offices, ſhould advance either of theſe two Conditions, or both of them, as requiſite, before any Negotiation ſhould be entered into, on the Behalf of your Electoral Highneſs, I fear it would be taken for a Step made rather to put backward, than to forward your Highneſs's good Intentions.

A *fourth* Thing that I crave Leave to ſubmit to your Electoral Highneſs's great Wiſdom is, whether it be not a more proper Seaſon then to mention the Contributions and the Repriſals, which your Electoral High-

Highneſs's Forces have made upon the *French* Subjects and their Allies, when the Demand is made (whether of Reparation with ready Money, or of Compenſation by Ways equivalent) for the Damages which your Electoral Highneſs hath ſuſtained. 'Tis probable the *French* will not forget this Matter of Repriſals and Contributions, when they come to debate the *Quantum*; and 'tis as likely your Electoral Highneſs will ſo moderate the firſt Demands, from what they might really have been, that the Repriſals and Contributions will eaſily appear to have been diſcounted very ſufficiently, in that no greater Damages are brought to Account.

The laſt Thing I beg Leave to ſubmit to your Electoral Highneſs is, whether it be not more convenient, not to mention at all the Reſentments which the Moſt Chriſtian King may have entered into againſt your Electoral Highneſs: I confeſs what the Memorial hath of it, is in very decent Language; but the Miniſters here will be ſure, notwithſtanding any Thing that may be ſaid of ill Offices, to take it for granted, their King was all along in the right. Beſides, it is a fundamental Rule, which the King my Maſter hath given us his Miniſters here, to avoid moſt induſtriouſly all Mention of Reſentments, Miſunderſtandings, ill Offices, or any Thing elſe that may revive the Memory of thoſe Things that were Ingredients to the preſent Breaches.

I moſt humbly beg Pardon for this great Trouble I have given your Electoral Highneſs; what is plain and ſafe in the Memorial, as the two firſt Points are, I ſhall, as Occaſion ſuits, do my beſt Offices upon, in order to entertain the *French* Ambaſſadors, in the Confidence they have of your Electoral Highneſs's earneſt Deſire to return into all good Underſtanding with the Moſt Chriſtian King, and to let him ſee how eaſy your Electoral Highneſs is to be contented in your juſt Pretenſions: For the following Points, ſince they ſeem to me to have Difficulties in them, I will humbly wait your Electoral Highneſs's further Orders, which ſhall be executed with that Zeal and profound Reſpect, which is due from me, who am, *&c.*

L. Jenkins.

Nimeguen, 15th April, 1678.

Right Honourable Sir,

SINCE my laſt, which was of the *11th*, we have no *Engliſh* Letters come in: Count *Antoine*, they ſay, will not ſtir hence, till he hear that the Yacht is come upon the Coaſt; he hath a Perſon on Purpoſe at the *Brill*, in order to adviſe him as ſoon as ever it appears, finding it leſs inconvenient to expect the News to be ſent him hither, than to wait for it there, or at *Rotterdam*. M. *Spanheim* went yeſterday hence, hoping to paſs in the ſame Yacht, but he hath an Audience to take at the *Hague*, if it may conſiſt with that Conveniency. M. *Heugh*'s Journey into *Flanders* is a Thing talk'd of for certain, but the Day is not yet fixed. M. *Chriſtine* goes this Day for *Bruſſels*, about his particular Affairs, and will be back, as he told me laſt Night, within a Fortnight. *Don P. Ronquillo* makes Account to follow him in two Days.

I thought I could not do better than to make Choice of M. *Petcum*, to inſinuate to him the Pretenſions we have upon *Denmark* in Matter of Commerce; for that his Concern is particular for the Honour and good Succeſs of Count *Antoine*, and he is very well heard in that Court in all Matters of Commerce, having made it his Study a long Time. He told me,

me, he had before he came away for this Place been acquainted with our Caſe, and had taken ſome Pains in it; he thought the Miniſters of *Denmark* had 'ere this adjuſted it with us, and does not deny but we have ſuch an Article of a Treaty from them, as you are pleaſed to mention; nay, he allows that, in the main, the Thing we demand is not to their Prejudice: Our reſorting to their Country being ſo far preferable to that of the *Dutch*, that 200 Sail of ours brings them better Advantages than 300 Sail of the *Dutch* would do: He promiſed me, that he would prepare Count *Antoine*, in the beſt Manner, to receive any Overtures about it on that Side; and that he would write to the Chancellor, that he may be furniſhed with the Powers neceſſary to put an End to that Buſineſs. I am, *&c.*

L. Jenkins.

Nimeguen, 18*th April*, 1678.

Right Honourable Sir,

My laſt was of the 15*th*, ſince which I have not the Favour of any from you to acknowledge.

On *Monday* M. *Vander Vecken*, one of the Deputies intended hither from *Liege*, told me, the Nuncio had quarelled with him very much, for that he had (ſome while ſince) made Uſe of my Offices, and not of his, to procure the Paſſports here for thoſe Deputies, ſaying, he had been therein neglected, in the Face of this great Aſſembly. *France* hath long ſince furniſhed thoſe Paſſports; but we never heard more of the *Imperialiſts*, after they had taken Time to conſider of it, and deſired their Co-Allies not to furniſh any till they heard from them again. They are all to Pieces at *Liege*, ſince their *Echevins* have been excommunicated; the Nuncio of *Cologn* maintaining the Excommunication to be good, the Chamber of *Spire* having, on the contrary, declared it to be void and abuſive.

M. *Heugh*, in Anſwer to the Offices I paſſed with him on *Tueſday*, upon the Paper I received from M. *Oxenſtiern*, touching the Duke of *Gottorp*, (the Copy whereof I have already ſent) told me plainly, that that Matter was not *hujus fori*, it muſt receive its Determination according to the Rules and Methods long ſince agreed between thoſe two Houſes. 2. That *Sweden* being in Hoſtility with them, they, the *Danes*, cannot have any Regard for what the King of *Sweden*'s Ambaſſador ſhall ſay in that Duke's Behalf.

In this Converſation, he told me he had had it in his Thoughts that very Day, to come on Purpoſe to acquaint me, by way of Complaint, how the *Swedes* deal with them, as to the *Danes* they have taken upon the Iſle of *Rugen*; there is a Cartel, he ſays, ſolemnly agreed between both Nations, for the Liberty of Priſoners at a certain Ranſome; the King of *Denmark* ſent his Commiſſary to *Coningsmark*, with ready Money, to demand and receive the Benefit of that Cartel, but is refuſed; and thoſe they have not ſtarved, or cannot force to take Arms, they tranſport into *Sweden*, to lie Priſoners there.

The Preparations in *England*, he ſays, do very much promiſe a War, yet there wants not ſome Ground to believe, it is not yet unavoidable; nothing, he ſays, will clear that Point, but a Declaration of one Side or other; for M. *Colbert* hath told him, they, the *French*, will, as much as is poſſible for them, avoid breaking with *England*; but as ſoon as they ſhall perceive it to be unavoidable, they will make

all the Haſt they can to declare firſt. Speaking of the Expectation, and the Doubt we are in here, what Reſolution the States of *Holland* will come to, as to the breaking off their Commerce with *France*; nothing, he ſaid, would go ſo near to bring them to do it, as to make up the Peace of the *North* out of Hand, and ſo give them the Trade of the *North* undiſturbed.

COUNT *Antoine* went hence yeſterday for the *Brill*, having had certain News of the Yacht. *Don P. Ronquillo* goes away this Day for the *Hague*; the Biſhop of *Gurck* returned hither on *Tueſday* from *Cologn*; and M. *Blaſpïel* is upon his Way hither from *Berlin*. M. *Heugh* makes Account to ſet out hence to Morrow for *Antwerp*.

L. Jenkins.

Nimeguen, 22th April, 1678.

Right Honourable SIR,

SINCE my laſt, which was of the 18*th*, I have the Favour of one from you of the 12*th* to acknowledge; and I cannot but join with you in the juſt Apprehenſions that all of us ought to have, of the Effect that the *French* Declaration may have at this Time in this Country.

I ſpoke with M. *Haren* laſt Night upon this very Subject, and he owns that they are now entring into Deliberation upon it in each Province; this of *Guelderland* meets to Morrow at *Arnheim*, and they in *Friezland* have their Meeting for it on *Thurſday* next; he ſpoke nothing promiſing of the Iſſue, but confeſſed the Deliberation may ſpin out to a very inconvenient Length; for if the Provinces ſhould not be unanimous in their Judgments, there will be a great deal of Time taken up (leſs than a Fortnight, it ſeems, it cannot be) before ſuch as are Diſſenters, by Order of their Superiors, can be brought to join and concur in one and the ſame Opinion; and in this it muſt be ſo; for a Majority does not give the Determination, all muſt concur; the Diſſenters cannot be concluded in Matter of Peace, or War, or of Contributions, they muſt be wrought upon by Reaſons and Perſwaſions to join in the Vote.

THE common Report goes here, that *Rotterdam*, and even *Amſterdam* too, have given in to the Propoſition, for *breaking off all Commerce and Traffick with* France; but M. *de Haren* was not clear in the Point, only ſaid, we might have the Certainty of what is done from M. *Beverning*, who was expected here laſt Night; 'tis certain there was no Thought (till yeſterday's Letters came) of his Return hither yet a while: Some Letters ſay, he had Orders given him to make all Haſt hither; I cannot ſee what there may be for him to do at this Time in this Place, unleſs it be to prepare the Nobles here for their Landacht to Morrow at *Arnheim*, or elſe to keep Home (as their Manner is) in caſe M. *de Haren* be to go to *Friezland*, to the Meeting of the States on *Thurſday*, where his Preſence will be, without doubt, of great Uſe, in a Deliberation of this Importance; eſpecially at this Time, that the Province is in Diſcontent with the States General, which is not without ſome Reflexion upon his Highneſs the Prince of *Orange*.

M. *de Haren*, in the Converſation I had with him about the Peace upon the *French* Conditions, was adjourning, as it were, all Conſiderations to the Event of the Criſis now ſo near at Hand. If his Countrymen (I mean, theſe States) be ſo true to their Alliance with his Majeſty, as their Treaties and their Intereſt oblige them, and as their Power, and the preſent Opportunity enables them to be, we may, under GOD,

God, hope well of the Criſis; but the Arts of the *French*, and the Malice of the *Lovenſteins*, is employed at this Time to turn the Edge of the great Argument, that hath hitherto weighed above all Things with this People; (I mean, that neither their Liberty, nor their Trade, can be ſafe, when they have ſo dreadful a Neighbour hovering over them) and to poſſeſs all Sorts of Men, that there cannot be a greater Danger to either, than that which watches at this Time to ſurprize them within their own Doors; this is the Rate they talk at among themſelves, who whine in Publick for their Inability to continue the War, and tell every body how little it concerns this State, that the *French* have a Town or two the more, and the *Spaniards* a Town or two the fewer; theſe kinds of Inſinuation the *French* are not wanting to ſupport; for M. *Colbert* gives out, there is now but the ſingle Town of *Ipres* in Difference between his Majeſty and his King, by reaſon of which, a Peace is not to be had all the World over; the Emphaſis of that is intended againſt us.

The Elector of *Bavaria* is ſaid to offer his Mediation at *Vienna*, and there is a Match ſpoke of between that Electoral Prince and the Emperor's Siſter.

M. *Heugh* went hence on *Friday* (with his Lady) for *Flanders*, not knowing then that the Prince would be ſo ſuddenly at the *Hague*. His Buſineſs was, (as he was pleaſed to tell me when he took Leave) to acquaint his Highneſs with the Occaſion of Count *Antoine*'s Voyage into *England*. He and M. *Petcum* too told me, of a great Inſtance that has been lately diſcovered to them, of the unfair Dealing of the *Swedes* with them; for the Chancellor of *Sweden* being to purge himſelf in the late Dyet at *Helmſtadt*, of certain Miſcarriages in this War, laid it as a Matter of Blame upon *Wrangell*, that he did not execute the Orders that were given him, to invade the *Danes* by the Way of *Holſtein*, at a Time that the *Danes* could not expect it, becauſe Count *Drahe* was with them Ambaſſador Extraordinary at *Copenhagen*, bearing them in Hand, that the *Swedes* would obſerve towards them all the Friendſhip and good Neighbourhood poſſible.

M. *Beverning* came Home laſt Night, and this Morning he and his Collegue gave me a Viſit; he told me, he was ſent away by his Maſters in ſuch Haſt, that he could not ſpeak with the Prince, whom he knew to be expected there every Moment. That their whole Country is in ſome Impatience for a Peace, the *French* Declaration that is now Printed, in ſeveral Places and Languages, having had that Effect upon them (eſpecially in *Holland*), that they are *tous pris d'un zele un peu dereglé pour la Paix*, there being not, he ſaid, a Boat or a Waggon ſtirring any where in thoſe Countries, but thoſe Prints are in ſeveral Hands, and made the Subject Matter of their Reaſonings and Diſcourſes; and every body concluding, that it matters not to them of this Country, that *Spain* hath two or three Towns the leſſer, if they may have their own (that is, *Maeſtricht*) reſtored to them, and their Trade to revive and flouriſh again. This, he ſaid, is the ordinary Diſcourſe of the Country People, and not only ſo, but of their great Towns, *Amſterdam*, *Rotterdam*, and *Leyden*.

He told me plainly enough, that if they could have a Peace upon any tolerable Terms, they would prefer it to any War; he acknowledged his Majeſty's joining with them would be a moſt conſiderable Acceſſion, but yet it would bring no Aſſurance with it, that their Succeſs will be any better than it hath been; beſides that, they ſhall want the only Mediator capable to ſettle the World in Repoſe again. They

were come to me by Order of the States, he ſaid, to know, if there were any Means to get the Term of the 10*th* of *May* prolonged; and to deſire my Offices to make an *Ouverture* to that Effect to the *French* Ambaſſadors; for, ſaid he, if we could gain a Month or ſix Weeks Time, ſomething may be done; but as the Form of this Government is, it is impoſſible for them to do any Thing in ſo ſhort a Time; having told them what M. *Colbert*'s Words had been to me, that they, the *French*, could not enter into any Negotiation upon their Paper, nor receive any Anſwer from the Parties but a ſingle *Oüi*. I asked them, whether they deſired me to make ſuch an *Ouverture* in their Names alone, or elſe in the Name of the reſt of the Allies, ſince the Communication I had made of the *French* Ambaſſadors Diſcourſe to me, had been to the ſeveral Allies, in the ſame Manner as to M. *de Haren*.

I muſt not forget to obſerve unto you one odd Expreſſion that M. *Beverning* uſed, when he propoſed to have this *Ouverture* made by my Offices; we cannot, ſaid he, go to the *French* ourſelves upon this Paper, nor can we take notice of it in the moſt ſolemn Manner, as if they, the *Dutch*, had never made any ſuch Step towards the *French* without the Mediators.

I told them, that if they deſired me to paſs any Offices with the *French*, I would be glad to adjuſt the very Words with them (in Regard the Matter is nice) before we parted; they replied, they would firſt ſpeak with their ſeveral Co-Allies, and then meet them at five this Afternoon, at their ordinary Meeting in the Town-Houſe: By that Time, they ſaid, they ſhall have better digeſted what they have to deſire of me, and they would further ſpeak with me, upon the whole Matter, this Night or to Morrow Morning.

They told me, that M. *de los Balbaſes* being to go out very early this Morning, upon a Journey of Pleaſure to *Cleve*, they had made a Shift to ſpeak with him before he went; and his Reſolution was, that he would conſent to any Thing they ſhould do, provided it be not to the Prejudice of what is treated at this Time by *Spain*, and the reſt of the Allies, with his Majeſty in *England*.

M. *Beverning* went over ſeveral of the Points in the *French* Declaration; they, the *Dutch*, were well enough, he ſaid, *ſi le Roy Tres Chrêtienne agit de bonne foy & tient ſa parole*, for tho' it be a Queſtion, whether *France* will ſettle the Commerce upon the Project as the *Dutch* Ambaſſadors gave it in, or upon thoſe Limitations and Reſtrictions they, the *French*, return'd upon it; yet 'tis better any Way, than have the Burthen of the War continu'd longer upon them.

Some other Things, he ſaid, ought to have been ſet Right, but that might be done too with Time; I ſuppoſe he meant the Rights and Intereſts of his Highneſs the Prince of *Orange* in his Principality; for of that, there is no Mention at all in the Paper. For the Empire, ſaid he, the Peace of *Weſtphalia* will be welcome; and for *Philipsburgh* and *Friburgh*, 'twill be no hard Matter to come to ſome Agreement for *Spain*, it goes very hard with them, and with us too, ſaid he, for we ſhall be very much diſappointed in the Hopes we had of a good Barrier; ſince that which is now to be left, will be a very ſlender one, and we ſhall always remain very much expoſed; but that which is moſt intolerable of all, is *Lorain*, for the Country will be torn to Pieces, and that Duke will have as good as none at all.

This is the Subſtance of what M. *Beverning* ſpoke, for his Collegue ſpoke not at all; only added, that by the *Friday* Pacquet Boat, there was an Expreſs ſent to M. *Van Beuninghen*, that he ſhould move his Ma-

Majeſty to get the Term prolonged if poſſible, and acquaint him, that the States had directed the ſame *Ouverture* to be made here. I remain, *&c.*

L. Jenkins.

Nimeguen, 25th April, 1678.

Right Honourable SIR,

THE laſt I troubled you with, was of the 22*d* Current; containing what M. *Beverning* and his Collegue had diſcovered to me that Day, touching the preſent Bent that this Country is in for a Peace; as alſo what they deſired of me, touching the prolonging of the Term that *France* hath given to the 10*th* of *May*. I thought thoſe Incidents of that Importance to his Majeſty's Deliberations at this Time, that I did not truſt them with the Poſt, but ſent them by an Expreſs, in whom, I hope, there will be no Want of Diligence.

I have little to add to what that Diſpatch carried; only on *Tueſday*, I gave the *Dutch* Ambaſſadors an Account of the Anſwer the *French* had given me, about prolonging the Term; but they did not ſeem to be ſo much concerned, that the Anſwer was a flat Denial, as they were ſollicitous the Day before to have the Queſtion put.

HOWEVER, the Thing hath that Effect, which was eaſy to foreſee; whether thoſe Ambaſſadors deſired it ſhould be ſo, or not, I dare not take upon me to determine: I mean 'tis plain, that as the Anſwer of the *French* Ambaſſadors is, and as the Proceedings in this Government about War and Peace uſes to be, 'tis not poſſible to come to any Reſolution here, (tho' they ſhould never ſo much deſire and intend to comply with *France*) that will amount to a Cloſe before the Term be out.

THE *Dutch* Ambaſſadors being with me yeſterday upon another Occaſion, I asked them, what Account they had had of the Proceedings at the *Hague* on *Saturday* laſt; for M. *Beverning* had told me, he was in ſome Pain, what the appearing of his Highneſs the Prince of *Orange* that Day in the Aſſembly of the States of *Holland* would produce. They told me, that the Prince being among them, opened to them the State of Affairs, as they now ſtand; and repreſented to them their Obligations by Treaty to their ſeveral Allies. The Nobles and the Deputies (thoſe of *Amſterdam* and *Leyden* only excepted) ſhewed themſelves ſenſible enough, and willing to comply with their Obligations; but there was no Reſolution taken that Day, the Deputies going back to their ſeveral Towns; and their Concluſion was, that they hoped all would be well.

MESSIEURS *de Gurck*, *Kinski*, and *Balbaſes*, in ſeveral Viſits they made me on *Tueſday*, and laſt Night, told me upon this Subject, they were confident, that notwithſtanding this Cloud all would end well. What Ground this Confidence hath, I know not; what they ſay, ſeems to have come to them from the Miniſters of thoſe Crowns at the *Hague*.

M. *de Gurck* told me further, how cloſely he had preſs'd the *Dutch*, in the ordinary Aſſembly of the Allies on *Monday* laſt, with Arguments from the Intereſt of their Country, urging, that if they ſhould now make their Peace with *France*, their Liberty and their Trade will be nevertheleſs in Danger to be ſwallowed up by the Conqueror. Beſides, they muſt be ſtill at the Charge of keeping themſelves armed as fully

fully as they are now at this Time. He preſſed them likewiſe, as he ſaid, upon their Honour, the Emperor and *Spain* having given into this War meerly for their Preſervation, and upon an Engagement from this State, not to go out of it, but by common Conſent; the King our Maſter having been ſollicited by them by all Manner of Arguments to break off the Trade with *France*, and to enter into the War, having taken his Meaſures upon the Aſſurances he hath from them by Treaty; how thoſe Arguments are managed, and what Effect they will have, Time muſt diſcover; but the *Imperialiſts* and *Spaniards* here do profeſs to be extreamly ſatisfied with his Majeſty's Proceedings; that is, they are perſwaded his Majeſty is in earneſt for entring into the War, and that he makes all the Steps poſſible towards it.

On *Tueſday*, M. *Oxenſtiern* acquainted me in Form, that he had Orders from the King his Maſter to go Ambaſſador into *England*; but that in Regard M. *d'Olivenkrantz* is there already, he muſt ſtay till he hear from him, whether he will tarry there, or come back hither; it being the Order of their King, that one of them ſhould continue here, tho' their Allies, the *French*, ſhould leave this Place; he ſaid, 'twas further the meaning of the King of *Sweden*, and his Orders to him that goes Ambaſſador into *England*, that his Majeſty ſhould be prayed to continue his Mediation ſtill between *Sweden* and all its Enemies; and that notwithſtanding any Breach his Majeſty may come to with *France*, the King of *Sweden* relies upon his Majeſty's Offices as Mediator, as perfectly and entirely as he did before, there being nothing in the Leagues between *Sweden* and *France*, that ſhould oblige *Sweden* to any Change in its preſent Peace and Amity with *England*, tho' *England* ſhould break with *France*; the mutual Engagements of thoſe Crowns relating only to the preſerving of the Peace of *Munſter*. He made alſo his Complaint to me, that M. *Heugh* had not taken from my Hand the Memorial that M. *Oxenſtiern* had left with me, about the Duke of *Holſtein*; telling me, he would receive no Paper from *Denmark* till his was accepted.

On *Tueſday*, M. *Ulken*, one of the *Holſtein* Miniſters, was to take his Leave of me, his Maſter having ordered him to paſs hence into *England*; and M. *de Haren* is gone this Morning for *Frieſland*. I humbly thank you for the Honour of yours of the *16th*, which is the laſt we have come to Hand. I have not had Opportunity ſince I receiv'd it to ſpeak (as I intend to do once more) to M. *Petcum* about our Trade.

I do not trouble you with a Squabble which happened between the *French* Ambaſſadors and the Burgrave of this Town, their Footmen having met on *Sunday* Night by Chance and fought, one of M. *Colbert's* Footmen was dangerouſly hurt; becauſe I have made an End of it.

Having writ thus far, the *French* Ambaſſadors having taken this Hour of me, to tell me they had Orders from the King their Maſter, to deſire my Offices with the Allies, to let them know the Moſt Chriſtian King does pretend — *que les* Meſſinois *retirez en* France *ſoient rétablis, dans leurs biens avec la Liberté d'eux diſpoſer & qu'ils ayent un Article dans le Traité de Paix, par le quel il ſoit ſtipule à cet Effet.*

I charging my ſelf with their Words, and adding, that I wiſh'd heartily there were nothing between us and a good Peace, but the procuring of ſuch an Article to be inſerted into the Treaty; M. *Colbert* told me, 'tis the Fault of the Allies, that the Peace is not accepted; that

that had they not ſtood in their own Light, they would have made the Peace 'ere this; that Meſſieurs *de Villa Hermoſa* and *de los Balbaſes* do by this Time know the Meaning of their Court ſufficiently, and are perſwaded, as he believes, that a Peace upon the Offer made them by *France* of ſo many Places, is much preferable to the continuing of the War; that the *Dutch* have all they can demand; that the Emperor is the only conſiderable Ally that ſtands out, and yet with very little Reaſon; his Army is 10,000 Men leſſer this Summer, than it was the laſt: *Hungary* is upon the Brink of a General Revolt, and they demand four Points, the granting of one of which is an utter Ruin to the Emperor's Intereſt as King there.

M. *Colbert* paſſing from one Point to another, came at laſt to *Sweden*, and mentioned the King our Maſter's Promiſe, that that Crown ſhould have its entire Satisfaction. I told him, I did not know whether his Majeſty had made any Promiſe at all in that Affair, or no; but that I was ſure his Majeſty had that juſt Regard to his Promiſe when he made any, as not to paſs *poſitivement*, (as 'tis in their Paper) where the Thing promiſed depends not upon the Will of his Majeſty, but upon the Concurrence and Conſent of Perſons of different Intereſts and Deſigns; therefore I thought the Penman of their late Writing had not conſidered what he ſaid, and the rather, in that it was viſible he contradicted himſelf in one and the ſame Line; M. *Colbert* was not pleaſed to ſay one Word in Defence of the Paper, but that the Promiſe his Majeſty had made, was the moſt generous in the World, and the moſt tending to a General Peace; that the Emperor and the King of *Spain* would have ſaid the ſame Thing, but that they feared to offend the Allies, the *Brandenburgher*, and the reſt; which was a Conſideration his Majeſty and the *Dutch* had no need to enter into: Thus he avoided the Queſtion; I preſſing as well as' I could the Nonſenſe of their Paper as of myſelf, not knowing whether his Majeſty had ma deany Reflexion upon that Paſſage or not. I remain, *&c.*

L. Jenkins.

Nimeguen, 29th April, 1678.

Right Honourable Sir,

SINCE my laſt, which was of the 25*th*, I have the Favour of one from you of the 23*d* Current, and do humbly thank you for it, as alſo for the Extract of what paſſed between you and M. *Van Beuninghen*, and for the Copy of your Letter to Mr. *Hyde* at the *Hague*, of the ſame Date.

It is with all the Reaſon in the World that you are pleaſed to ſay, it was a hard Queſtion that M. *Beverning* and his Collegue put to me this Day ſevennight, about prolonging the Term in the *French* Conditions: I had not Time to give you any Account but of the bare Matter of Fact, it being almoſt impoſſible to tell you the Anxiety I had in my Thoughts upon that Incident.

I choſe to do, as you ſee I have done, chiefly upon this Ground; I did not think it ſafe for me to refuſe that Thread that was (ſeemingly at leaſt) offered to be put into my Hand, for the conducting of this new Negotiation, if it ſhould be ſet on Foot by prolonging the Term; for beſides that, I knew nothing in the leaſt, nor do I yet know, that his Majeſty hath ceaſed his Offices of Mediation with *France*, or that it is his Pleaſure his Miniſters here ſhould do ſo; I ſaw the *Dutch* would have

have forthwith, upon my Refuſal, entered into an immediate ſecret Communication with the *French*, and conſequently I ſhould (by mine own Act) have put myſelf out of all Poſſibility to gain any Time, (which was what I thought moſt neceſſary) to advertiſe you of this Incident, and to learn his Majeſty's Pleaſure upon it; as alſo out of all Hopes to get any Notice of what ſhould afterwards paſs between them.

I had ſeveral Reaſons to believe the *French* would anſwer (as they did) in the Negative; their Diſcourſes to me and to others having been all along to that Effect; I thought therefore a Denial here would be a ſeaſonable Diſappointment to the Mutineers at the *Hague*; beſides that, the early Knowledge of this Iſſue (ſince they would have it out one Way or other) would be of ſome Uſe in his Majeſty's Councils; but had the *French* conſented to write to their Court, (I put the Caſe to myſelf) I ſhould then have gained ſo much Time, as to have given you Notice how Things went, before the Negotiation itſelf ſhould have come on; and I ſhould have been in a better Light to inform you of what ſhould paſs, than if I had refuſed to intermeddle in it.

Besides, the Point being in itſelf a Preliminary, of ſome Diſtance from the main Buſineſs, and I to move in it by the by only, *par occaſion*, was M. *Beverning*'s Word, and not by way of Office, I hoped to come nearer his Majeſty's Meaning and Service in doing as I did, than if I had taken a contrary Courſe; and in that Hope I wait with all the dutiful Submiſſion poſſible, what his Majeſty ſhall pleaſe to pronounce or direct further in this Matter.

On *Thurſday*, M. *Beverning* coming to make me a Complement, upon my having made up a Difference between the *French* Ambaſſadors and ſome of the Nobles of this Town, (there having happened ſeveral Squabbles between their Lacquies, for that the Gentlemens Lacquies wore Swords, and thoſe of Ambaſſadors wore none, the Gentlemen having now put their Lacquies to conform with us in that Point) told me in great Confidence, that he hoped all would go well again in *Holland*, and that they would keep cloſe, both in the Peace, and in the War, to his Majeſty; that his Highneſs the Prince was gone back from the *Hague* very well pleaſed, *qu'el avoit rompre ce coup*; and it was his great Prudence not to oppoſe directly and violently that Party that was for a preſent Peace; that it was a wiſe Thing to ſend away *Van Leewen* and *Boréel* on the Errand they are gone upon; that they having appeared the moſt troubleſome and mutinous, will be made to underſtand, both in *England* and at *Bruxells*, how impracticable the Thing is they aim at, at this Time, and eſpecially in their Method.

This was on *Thurſday* after the Poſt was gone, yet ſpeaking with him again laſt Night, he ſaid, the Prince was gone away much diſſatisfied; and added to his former Character of *Van Leewen*, that he is a bold talking Man, and not without Suſpicion of holding Intelligence with the *French*.

He ſaid, it was a very weak Thing done by the Penſioner, on *Friday* laſt the $\frac{12}{19}$*th* Current, to carry the Reſolution of the States of *Holland* to the Aſſembly of the States General that very Night, to have it paſs into an Inſtruction for the Ambaſſadors here; whereas he might have hindred it from coming to a Concluſion among the States of *Holland* till the Prince might be ſpoke with, and might afterwards have forborn to put it to the States General that Night.

He acknowledged there can be nothing more *ſalutary* (that was his Word) to their Country, than an *abſolute Prohibition of all Trade with* France, but 'tis never to be well executed in theſe Countries; they have

Inſtances

Inſtances of ſeveral Prohibitions of *French* Manufactures, put out by the States General, and obſerved by *Holland*, but the Things prohibited are brought into *Zealand*, (and againſt the *Zealanders* there is no Remedy to be had) or elſe into *Friezland*, and thence diſperſed to the reſt of the Provinces; and it will be thus, he ſays, in caſe they ſhould now prohibit the *French* Trade; ſo that it will not be obſerved as it ought on this Side.

When I paſs'd my Offices, as I did on *Friday* and *Saturday*, with the ſeveral Allies, touching the *Meſſinois*, to be comprized in this Treaty, they could hardly (ſome of them) keep their Countenances, but ſaid little.

M. *Platt*, the *Oſnaburg* Miniſter, told me, the Deputies aſſembled at *Cologn*, for the Army that is intended to act upon the *Meuſe*, cannot agree among themſelves; the Prince his Maſter hath been order'd ever ſince *January* to command it; but he will not engage till he knows whence the Army is to draw its Subſiſtence, and till it have a Train of Artillery, which it now wants. M. *de Grana*, who is intended for a Command in that Army, is, and hath been about a Week in this Town.

On *Friday* the Marquiſs *de Fuente* arrived here in the fine *Bruxells* Yacht; M. *de los Balbaſes* received him at the Water-ſide, he lodges yet at his Houſe. I ſpoke with M. *d'Avaux* about his Viſit of Ceremony, he and his Collegues had deliberated of it, and had reſolved to viſit him, tho' he give (as M. *Balbaſes* and *Ronquillo* have done) that Extraordinary Sort of Viſit to the *Imperialiſts*, upon the Account of the ſame Houſe, before he notifie others, provided it be in all Things elſe as it was before: M. *Beverning* was of the ſame Opinion, and I ſhall not diſſent, unleſs your Orders come Time enough to the contrary.

I ſpoke with M. *Petcum* yeſterday about our Pretenſion upon his Majeſty's Treaty with *Denmark*; he does in a Manner aſſure me, that if you pleaſe to give in a Plan of what our Merchants would be at, they will have content; he hath writ to the Chancellor about it; their Care is, that the *Dutch* do not, when we get up to their Privileges, yet ſtep higher, and catch at more than they have.

M. *Cannon* ſpoke to me on *Friday* and yeſterday, of the perfect Reliance his Duke hath upon the King our Maſter, and that he hath writ to his Majeſty ſince he hath had Communications of the *French* Conditions, to ſubmit all entirely to his Pleaſure.

He ſays, that among other hard Meaſures, the demanding of the *Provoſté* of *Lougroy*, in Exchange for ſomething not yet named, is one of the hardeſt; that *Provoſté* has no leſs than 63 Villages of its Dependance; it reacheth almoſt from the *Moſelle* to the *Meuſe*, from *Thionville* to *Verdun*, and it fronts all along upon *Luxemburgh*. I am, *&c.*

L. Jenkins.

Nimeguen, 2d May, 1678.

Right Honourable Sir,

My laſt was of the *29th* paſt, ſince which I have the Favour of yours of the *26th* of the ſame Month to acknowledge.

We find, that a Courier came on *Monday* laſt to the *French* Ambaſſadors, between 7 and 8 at Night; and about 10 the ſame Night, (ſooner I ſuppoſe the Letters could not be decypher'd) M. *d'Avaux*'s Secretary went to M. *Beverning*'s, carrying with him ſeveral Papers, and enjoining

the Lacquey he took along with him, not to tell where they had been. 'Tis further ſaid from a good Hand, that M. *d'Avaux*'s People were buſy in writing moſt Part of that Night; and that the Mareſchal ſent a Courier to *Amſterdam* the ſame Night; and 'tis certain that M. *d'Avaux* was Abroad next Morning, firſt at M. *Oxenſtiern*'s, then at M. *Beverning*'s, before eight, which is an earlier Hour than ordinary with thoſe Miniſters to have Interviews. The *French* Courier went back on *Tueſday* at 4 in the Afternoon. M. *Oxenſtiern* and M. *Beverning* both own'd to me, they knew of a Courier come to the *French*, but both ſaid, they knew nothing of the Occaſion of his coming; that he brought ſomething or other wherewith to foment the preſent Humour in this Country, is more than probable: Mr. *Chudleigh* diſcourſing with one of the *French* Ambaſſadors Gentlemen (who we are ſure hath a good Share in all their Secrets) upon Occaſion of this Courier, and telling him how all Men were awakened to expect ſomething extraordinary upon it; the Gentleman anſwered, 'twas poſſible you may hear ſhortly of a Truce; Mr. *Chudleigh* replying, that People conjectured the Thing he brought with him to be of greater Moment; his Anſwer was, the Nature of this Government is ſuch, that if there be any ſuch Thing, it will be ſoon known at the *Hague*. Out of this we cannot but conclude, that 'tis ſomething of preſent Concern that this Courier brought; and 'tis in Order to ſome ſeparate Paces between the *French* and the *Dutch*. One Thing more I ſhall take Leave to obſerve, that a very ſober Gentleman told Mr. *Chudleigh*, that M. *Beverning* (as ſoon as he came on *Sunday*, which was about 8 a Clock at Night to Town, upon the Errand about the prolonging of the Term) went that very Night, but very privately, to the *French* Ambaſſadors; but ſaw not the Allies or me till next Day. I do not deliver this for certain, the Gentleman, being ſpoken with ſince, ſaying, he had not the Thing confirmed unto him.

M. *Beverning* was very cloſe and dark in a Converſation I had with him yeſterday; he ſaid *Van Leewen*, now deputed into *England*, was a vehement Man, and yet had ſome Excuſe of his Side, in Regard he ſaw the Town he is Magiſtrate of going to utter Ruin, by the Decay of its Manufacture. He added, that *Amſterdam* had poſitively declared, they will contribute no more to the War; that he had not ſpoke at all to M. *Oxenſtiern*, (as his Maſters had directed him) about the prolonging of the Term, becauſe he could not hope any Thing from him, that Nation being now wholly at the Dictate of *France*, and looking upon no other Help or Reſource, than that which *France* will give them. It was much talked yeſterday in the Evening, that M. *Beverning* ſent Couriers on *Tueſday* Night at Midnight to *Amſterdam*, and to *Leyden*; 'tis certain he receiv'd a Courier on *Tueſday* from the *Hague*, and ſent him back at Night; the *French* Gentleman abovementioned would not allow of what is believed here, that his Highneſs the Prince had quieted the States of *Holland*, and gone away well ſatisfied. I am, *&c.*

L. Jenkins.

Poſtſcript.

May 2 d, 1678.

JUST now, at 7 in the Afternoon, M. *Beverning* call'd upon me, as he came out of the Aſſembly of the Allies, to acquaint me he had received by the Extraordinary of this Day, Orders from his Maſters to ſpeak with his Co-Allies, and to know of them, whether they will be con-

content with an *Armiſtice*: He had Orders to treat it with them for ſix Weeks, he named the laſt of *June* their Style, or for any Term they could agree on, provided it exceeded not three Months: There were preſent at their Meeting the three *Imperialiſts*, M. *de los Balbaſes* and M. *Cannon*, they reſolved nothing, but took to deliberate till *Saturday* Morning, only he thought, he ſaid, M. *de los Balbaſes* did reliſh the Thing, being in an extream Dread to loſe ſome good Place (*Antwerp* is generally feared) at the Return of the *French* King into *Flanders*. M. *Beverning* does as good as own, that this Propoſition came from him to the States, but that M. *Fagel* hath put it to them in Form; that M. *Fagel* is to anſwer if any Miſchief come of it, for that he, M. *Beverning*, having found from a certain Perſon here, (naming no Body, but meaning the *French* Ambaſſadors without doubt) that an *Armiſtice* might be had, he could not chooſe but communicate the Thing to his Maſters: He ſays, they came quickly to this Reſolution; and he was commanded by them to talk Home to the *Spaniards* and the other Allies, of their Reſolution, not to be at ſuch vaſt Charges any longer, and that they will forthwith disband the Men they have up and down the *Spaniſh Netherlands*; and the *Spaniards* may, if they pleaſe, take them into their Pay.

THIS Reſolution was taken yeſterday at 11 of the Clock, and Meſſengers diſpatch'd to M. *Van Beuninghen*, and to *Bruxells* the ſame Evening: Had he deſired me (as he did not) to propoſe the *Armiſtice* to any of the Parties, I ſhould not have done it without his Majeſty's Orders; therefore I beſeech you, SIR, I may know his Majeſty's Pleaſure as ſoon as you can. M. *Beverning* told me, he gueſs'd that *France* would give an *Armiſtice* as long as could be deſired, even for 12 Months. I am, *&c.*

L. Jenkins.

Nimeguen, 6th May, 1678.

Right Honourable SIR,

ON *Thurſday* the 2*d*, I troubled you with two of mine; one in the Morning, and a *Poſtſcript* at Night; but did not commit either of them to the Poſt; I ſent them by Servants of my own; the one whereof I hope will overtake the other ſomewhere or other on this Side, and ſo give you but one Trouble.

I gave you in my laſt, an Account of all that was then come to my Knowledge of a Ceſſation of Arms, or an *Armiſtice*, which is the Word affected here: M. *Beverning* having made his Propoſition on *Thurſday*, as I told you, and the Allies having taken Time to deliberate till *Saturday* Morning, they did not meet that Morning; M. *Beverning* having ſpent it in particular Applications to them at their ſeveral Houſes; but they met at three in the Afternoon: M. *Beverning* parted from them at five; yet they ſat and did not break up till eight.

M. *Beverning* told me yeſterday, he found them more tractable ſeverally at their Houſes, than they were jointly in the Aſſembly, eſpecially M. *de los Balbaſes* was ſo, as being apprehenſive of ſome fatal Reſolution in ſome of the great Towns in the *Netherlands*, upon the Return of the *French* King thither. When they met, he and they ſpoke their Reaſonings, for and againſt the Ceſſation; M. *Beverning* did not tell me, what thoſe Reaſonings were, but only that their Concluſion was againſt the Ceſſation he propoſed.

FROM another that was not preſent at the Debate, but is perfectly informed (as I take it) of what paſs'd there, I find that M. *Beverning* demanded an Anſwer to the Propoſition he had made on *Thurſday*; M. *de Gurck* beginning, ſpoke largely of the Unreaſonableneſs of it at this Time, eſpecially in Regard of the Poſture and Motion the *Imperial* Army was now in; but concluded, that nothing was to be done till the Mind of the King our Maſter were known.

M. *de los Balbaſes* concluded juſt to the ſame Effect; that conſidering the Advances his Majeſty had made, and the Weight he was like to bring on the Allies Side, nothing was to be done till the Allies knew what his Majeſty would be pleas'd to do.

M. *Cannon*'s Concluſion was juſt the ſame; only he obſerved to them, that the asking of a longer Term, might be thought to imply an accepting of the Conditions; and if ſo, that his Maſter would loſe the better Part, and in a Manner all his Eſtates, without ſhewing his Claim or Defence; M. *Beverning* anſwered, it was not the meaning of his Maſters, if a Ceſſation were obtained, to yield to the Conditions as they are, but to debate and treat upon them.

WHEN M. *Beverning* had heard theſe three ſeveral Concluſions, on the Behalf of the *Imperial* and *Spaniſh* Embaſſies, and of the *Lorain* Miniſter, which was all the Company that was preſent at the Aſſembly; he replied *firſt*, that if the Ceſſation was not accepted, the *Spaniſh Netherlands* would be unavoidably loſt. 2 *dly*, *Que Meſſieurs les Etats n'attendent rien de l'Angleterre puis qu'ils ont un Traite avec Elle qui l'obleige à rompre, mais Elle ne romp pas*, theſe are the very Words, as near as I was able to retain them, upon twice repeating them to me.

SOME among the Allies propoſed (it ſeems) that the Aſſembly ſhould depute to me, as they have been uſed to do upon ſeveral other Occaſions, to the End I might be made acquainted with a Matter of this Importance, and write to Court about it: But M. *Beverning* anſwered, *J'ay dey'a fait l'Expoſition de tout cecy à Monſieur* Jenkins, *& je ne crois pas, que le Royſon Maitre voudroit propoſer cet Armiſtice.*

THIS is the beſt Account I can yet give of the Conference on *Saturday* about this Ceſſation; only M. *Beverning* told me, they kept ſo long in the Aſſembly, that he was like to loſe his Poſt; he thought they did it upon that Deſign, but he made a Shift to write the ſame Night to his Maſters. He ſaid, he had offered the *Spaniards*, that the States ſhould transfer over to them all the Soldiers that are now in Garriſons in the *Spaniſh Netherlands*.

YESTERDAY at three in the Evening, M. *Colbert* and *d'Avaux* were with me, to acquaint me of two Things that the King their Maſter had ordered them, by Means of us the Mediators, to make known to the Ambaſſadors and Miniſters of the Allies; the one was, that whereas the Term he had fix'd to the Conditions upon which he is willing to come to a Peace, was the 10*th* of this Month of *May*, he was willing it ſhould be prolonged, and did prolong it to the 20*th* of the ſame Month, *N. S.* The other Thing was, that the ſtrong Place of *Leew* in *Brabant*, lately ſurprized by the *French*, ſhould not make any Alteration in the Conditions of the Peace; that he was willing to render it to the *Spaniards*.

M. *Colbert* did value very much the reſtoring of ſo many important Places, there being nothing like it in all the Hiſtory of the Treaties between *France* and *Spain*; and that this Place of *Leew*, being added

to

to ſo many more, there would be no Pretence left, to inſiſt that *Ipres* be reſtored to the *Spaniards*.

I made a Shift to acquaint the Allies ſeverally with that I had in Charge, but it was very late before I could come to ſpeak with the *Imperialiſts*; M. *de los Balbaſes* and M. *Cannon*, for they were altogether taken up (not improbably upon the ſame Meſſage) with the Nuncio.

M. *Beverning*'s Anſwer was, that he deſired his Thanks might be returned to the *French* Ambaſſadors; and that he could have wiſh'd the Prolongation had been for twenty or thirty Days longer.

M. *de los Balbaſes* ſaid, that five of the ten Days being elapſed, he did not ſee what could be done in ſo ſhort a Time; yet, tho' the Term were longer, they could not go againſt their uſual Cuſtom, which hath been, to do all Things in Concert with the Allies; this could not be done at this Time, nor can they enter into any Deliberation upon the *French* Condition (which this Term relates to) in Regard the two Embaſſies of *Denmark* and *Brandenburgh* are abſent at this Time.

The *Imperialiſts* deſired me to come to their Aſſembly at the Stadthouſe, at their uſual Hour of Meeting this Afternoon, where I ſhould have the Anſwer of all the Allies, as they ſhould agree to it.

M. *Petcum* and *Cannon* did not ſay much, but M. *Petcum* complained that the Allies here do not in their Deliberations give that Part and Regard that is due to them of the *North*.

M. *Balbaſes*, in the Conference I had with him upon this Occaſion, ſeemed to ſuppoſe that we cannot require, in Strictneſs, that the *Dutch* ſhould prohibit all Commerce with *France*; for that there is no ſuch Thing ſtipulated in our Treaty with them in *January* laſt; and that the prohibiting of Commerce was a Thing thought of, after the making of that Treaty by the King, upon the Suggeſtion of the Parliament. I endeavoured to evince the contrary from Addreſſes antecedent to that at the Beginning of this Seſſions; and how hard it would be, that his Majeſty ſhould, by ſuch a Prohibition, tie up the Hands of his own Subjects, not only to the great Inconveniency of Thouſands of particular Perſons, that live upon that Trade, but alſo to ſuffer the Trade itſelf to be diverted from his own Kingdoms, and to help the driving of it into another Channel.

Upon this Diſcourſe of M. *Balbaſes*, in Favour of the *Dutch*, and upon the Teſtimony that M. *Beverning* gives of his being more tractable than others, I cannot but ſet down a Remark that M. *Cannon* made to me this Morning; ſaying, that there was no Queſtion to be made, but that the Emperor and the reſt of the Allies (whatſoever this State would do) would be firm to his Majeſty the King our Maſter: Only I am ſorry, ſaid he, to obſerve, that the *Spaniards*, *ſoit par Timidité*, *ſoit par Complaiſance*, have that Deference for the *Hollanders*, that they incline to every Thing that is propoſed from that Side. I expected, ſaid he, that having recovered *Sicily*, they would with more Frankneſs have hazarded what is left them in the *Netherlands*; but I do not find any Thing changed in their former Conduct, nor do they ſpeak out againſt this *Armiſtice*, as in all Reaſon they ought to do.

For Occurrences, I take leave to ſend you *Boreel*'s Propoſition, and the Duke *de Villa Hermoſa*'s Anſwer, 'tis added here, that the States have upon this Anſwer ſent to let the Duke know, they perſiſt in their firſt Reſolution; 'tis alſo added, (how truly I know not) that there is one of the principal Men of *Amſterdam* deputed to the *French* King

at

at *Ghent*, and another to go into *Spain*. You will have encloſed a Letter writ to M. *d'Eſtrades* from one of his Correſpondents at *Amſterdam*; the ſame Perſon that gives us this, ſays, he ſaw another of a freſher Date to the Mareſchal; wherein the Writer deſires, that in Caſe the Revolution do not hit, as is expected in Favour of *France*, he and his Complices may be taken into that King's Protection, by the Mareſchal's Care and Favour, deſiring the Mareſchal would be pleaſed to give his Word to M. *Beverning* to that Effect.

I muſt confeſs, I cannot believe that M. *Beverning* is ſo far gone in the *French* Intereſts, as to take ſuch Stipulations in Favour of thoſe that betray their Country; thoſe that know moſt, amongſt the *French* Domeſticks here, do look upon him as a great Well-wiſher to the Peace, not in Oppoſition to the Prince, but becauſe he is perſwaded 'tis the Intereſt of his Country.

M. *Beverning* did value himſelf to me yeſterday, upon a Conſolatory Letter that the Prince had cauſed to be writ to him by a third Hand; for he hath writ, as he ſays, to deſire leave to retire. I muſt confeſs, I think we have a Loſs that M. *de Haren* is not here; for though he, out of his modeſt Temper, defers much to M. *Beverning*, yet I take him to be a Perſon that has a juſt and ſtrict Senſe of Honour.

The Diſpatch that was brought to the *French* Ambaſſadors by the Courier, that arrived here the $\frac{12}{9}$*th* from *Maeſtricht*, had, as I am informed, Careſſes for *Holland*, in theſe Words, or near them, — *que le Roy eſt, maintenant plus porté pour la* Hollande *qu'il n'a jamais eſte, qu'il avancera leur Commerce non ſeulement en diminuant la moitie de Droitz d'Entrée, & d'autres Impoſitions Mais qu'il donnera auſſi une entiere Satisfaction aux Merchands touchant les abus cydevant commis*, &c. *qu'il du leur Zéle qu'il à pour la Paix, & qu'elle luy eſt tellement au Cœur que pour l'avancer il avoit demembré de ſa Couronne tant de Places que les Ennemis ne ſçauroient recouvrir*, &c.

The Deputies of *Gelderland* at the *Hague* have writ to the States of this Country, now aſſembled at *Arnheim*, that the States General had found the *French* Conditions, ſuch as they were reſolved to accept of in the preſent Conjuncture; therefore that they had deſired an *Armiſtice*, and that this Province was deſired to joyn with them; this was read publickly on *Saturday* laſt; the Anſwer will be ordered when they re-aſſemble, which will be to Morrow.

I am in Care for Want of the *Engliſh* Letters, having none from you ſince the 26*th* paſt. I remain, *&c.*

L. Jenkins.

Nimeguen, 9th May, 1678.

Right Honourable Sir,

Since my laſt, which was of the *6th*, I have the Favour of one from you of the 3*d* Current, and in it a Tranſcript of your Letter of the ſame Date to Mr. *Hyde*, as alſo the *Ouverture* that my Lords at his Majeſty's Commands were pleaſed to make to M. *Van Beuninghen* and *Van Leewen*, for which I humbly thank you.

I gave you an Account in my laſt, of the Commiſſion I had been charged with the Day before by the *French* Ambaſſadors towards the Allies; I gave you an Account likewiſe of the Anſwers ſome of the Allies had given me, upon my Addreſs to them: I now take Leave to encloſe the Anſwers of the *Imperialiſts*, the *Spaniard*, and M. *Beverning*, as the two

two firſt Embaſſies gave in theirs, and as M. *Beverning* owns his upon ſecond Thoughts; nay, is not only approved for it by his Maſters, but he told me yeſterday it was their Order, he ſhould call for my Offices, to pray the *French* to get thoſe 20 or 30 Days added, that he had expreſſed his Wiſhes for, at leaſtwiſe, he ſays, his Maſters will bear him out if he do make any ſuch Requeſt; for ſpeaking with him yeſterday at two ſeveral Times, he expreſs'd himſelf both the one and the other Way.

But I having found, by the Tranſcript of your Letter to Mr. *Hyde*, that his Majeſty hath declared, *he cannot any Way think fit to accept of, or ſo much as countenance the* French *Conditions, and therefore cannot be in any Degree an Inſtrument, or interpoſe for prolonging the Term granted by* France *to accept them*; I could not but conclude it high Time for me to abſtain (as I did immediately) not only from Offices, but from all Manner of meddling further about this Term. I therefore went firſt to the *Imperialiſts*, then to M. *de los Balbaſes*, and from him to M. *Beverning*, and told them fully and plainly, I could not ſo much as carry their Anſwers to the *French*.

M. *Beverning* having had an Account from the States, of all that Meſſieurs *Van Beuninghen* and *Van Leewen* had ſaid to them, till *Friday* Night the 3 *d* Current, eaſily allowed that my Hands were tied up till further Order; but was of Opinion, I ſhould not declare the Reaſon of it to the *French* till needs muſt.

The *Imperialiſts* and M. *de los Balbaſes* contended, that their ſeveral Anſwers amounted to a flat refuſing of the Term, and therefore that I might ſafely carry them to the *French*; and were the more deſirous I ſhould do it, becauſe they had, as far as I could gueſs, put into the Nuncio's Hands the very ſame Anſwers, before they gave them to me.

The Temperament we came to was this, that theſe Anſwers ſhould remain ſtill in my Hands; and tho' the *French* ſhould call for them, yet that I ſhould not deliver them; for that the Anſwers of all the Allies, for whom his Majeſty mediates, are not yet brought in, nor known what they will be; the *Denmark* and the *Brandenburgh* Embaſſies, and the *Oſnaburg* Miniſter, being abſent at this Time.

You will pleaſe to obſerve the Difference in the Anſwers as they go incloſed; the Allies met ſeveral Times in the Stadthouſe, and ſeveral Times in each other's Houſes about them; but M. *Beverning* could never bring the *Imperialiſts* to any Thing like asking of a further Term; yet I find he had brought M. *de los Balbaſes* to his Bow; for on *Tueſday* he trudged up and down all Day among them, to get them to give in ſome kind of Anſwer or other to the *French*; ſo true is that which M. *Cannon* obſerves of the *Spaniards*, that they have more Fear, or elſe more Complaiſance, than does them good, for the *Dutch*.

Yesterday M. *Oxenſtiern* came to acquaint me in Form, that he had newly received Letters from the King his Maſter, whereby he is commanded to declare to us, that the King of *Sweden* having been informed of his Majeſty's good Offices with the Moſt Chriſtian King, in Favour of the preſent State of Affairs in *Sweden*, and having alſo ſeen the League the King hath entered into with the States General, in order to the Peace of *Chriſtendom*, hath the greateſt Satisfaction poſſible in his Majeſty's Conduct, both at this Time, and all along in what concerns *Sweden*; that the King is extreamly ſenſible of his Obligations to his Majeſty, and will let paſs no Occaſion to manifeſt the Senſe he hath of his Majeſty's great Affection and Friendſhip, ſhewed him in theſe Conjunctures, *&c.* that he, M. *Oxenſtiern* here, and M. *d'Olivenkrantz* at *London*, have expreſs Orders to act in all Things conformably to the good Intelligence and ſtrict Friendſhip between the two Kings. This

THIS Complement being over, he told me, he hath a Conveniency of writing at this Time with Safety into *Sweden*, by a Yacht that his Majeſty is pleaſed to order for the tranſporting of a *Swediſh* Envoy on that Side; and therefore deſired to know of me, how the State of Affairs ſtood here, particularly between the *French* and the *Dutch*, in relation to a Ceſſation of Arms, and prolonging the *French* Term; he would firſt give me an Account, he ſaid, of what he had been told by the *French*, to the End I might judge, whether his Informations were full and right, or not; pretending (by the way) to ſome Right to be informed by me, becauſe he found that at *Cologn*, you and I had Recourſe frequently, for the better informing of ourſelves, to their Ambaſſadors Mediators there.

THEN he began with telling me, that M. *d'Eſtrades* came to his Houſe on *Sunday* laſt in the Evening, to acquaint him with the ſame Things, that his Collegues (who were gone at the ſame Time to my Houſe) were to impart to me, having receiv'd in Charge to do it from the King their Maſter.

THE *firſt* Thing was, the Term ſhould be prolonged for 10 Days longer; that *Leew* ſhould be reſtored, if the Peace be made; and that the *Dutch* might have an *Armiſtice* for 2 or 3 Months, or for a much longer Term, if they pleaſe; the laſt Thing was, that the *Dutch* ſhould have not only Eaſe, but full Content, in their Pretenſions and Grievances about their Commerce and Fiſhery.

NOW 'tis moſt certain, that Meſſieurs *Colbert* and *d'Avaux* being with me, about the ſame Hour that M. *d'Eſtrades* was at M. *Oxenſtiern*'s, in order to communicate the ſame Thing, never mentioned one Word to me either of the *Armiſtice*, Commerce, or Fiſhery, confining themſelves to what they were ordered to declare, touching a longer Term of 10 Days, and the rendering of St. *Leew*.

I take Leave to lay this before you as it paſſed; for that it is plain to me, that however the Mareſchal may have miſtaken either the Orders of his Court, or the Reſolution of his Collegues upon them, that there were ſuch Orders that related to the *Dutch*, and the gratifying of them as to the *Armiſtice*, Commerce, and Fiſhery; but that it was thought fit, either at the *French* Court or here, that the Notice of them ſhould be given the *Dutch* by other Conveyance than that of my Offices.

THIS Communication to M. *Oxenſtiern* and to me, was on *Sunday* the 5*th* Current, upon the *French* Letters come in that Morning. The *Dutch* Prints here have it, that on the 26*th* of *April*, *O. S.* two Couriers arrived from *Nimeguen* at St. *Germains*; theſe Orders might eaſily come to Hand, as Returns upon theſe Advices; 'twas the 21*ſt* M. *Beverning* arrived here, which might occaſion the ſending of thoſe Couriers, but he did not then ſpeak to the Allies, or to me, of an *Armiſtice*; only 'twas probable, he ſaid, *France* might pretend it, if the Term were deſir'd to be prolong'd. He told me yeſterday, the Miniſters of the Allies at the *Hague* ſay, they would be very well content with a ſhort *Armiſtice*.

HAVING had ſeveral Converſations ſince my laſt with the Biſhop of *Gurck* ſingly, and jointly with him and his Collegues, I found them ſtill plying me with Arguments, for our breaking with *France*; they preſs'd at firſt very much our Obligation by Treaty; but my Lord Chancellor doth excellently ſet out in his Speech, that it is the *Dutch* are behind in their Part to comply with that Treaty, not we. Another Thing they ſay is, that if we break out of Hand, the *Dutch* will be ſure to go on in the War, they drawing back becauſe they do not ſee us come on. But can there be greater Obligations, than thoſe they are already

already under to *Spain* and *Lorain* to go on; eſpecially ſince it is not their Inability, but their Caprice, that makes them reſtive?

YESTERDAY M. *Beverning* having received an Expreſs with the *Engliſh* Letters, was of better Chear than he hath been of late: *Je vois que les choſes commencent à calmer, j'Eſpere que tout ira bien encore, on donne bon Ordre pour la Continuation des Subſides & pour ſournir aux frais de la Guerre* — Theſe were his Words; clearing himſelf very much of having any Hand in the Reſolutions of the States of *Holland* of the 19*th* paſt, whereby he was commanded to repair hither, without ſo much as ſtaying to ſpeak with the Prince of *Orange*, who was expected at the *Hague* every Moment. I remain, *&c.*

L. Jenkins.

Nimeguen, 11*th May*, 1678.

Right Honourable SIR,

MY laſt was of the 9*th* Current by the Ordinary, ſince which we have no *Engliſh* Letters; this I ſend in all Diligence poſſible by an Expreſs; the Occaſion of it, is the Letter that goes herewith incloſed; 'tis the Copy of what the Moſt Chriſtian King writes to theſe States (on the $\frac{8}{18}$*th*) from *Deinſe*: It was brought hither by a Courier *Expres* to the *French* Ambaſſadors, who arrived yeſterday about 5 in the Afternoon; it was between 7 and 8 before they ſpoke with M. *Beverning*, which they did in a Body at his Houſe. I am told he ſent an Expreſs laſt Night to the *Hague*, immediately after that Conference: But it was this Morning before I, or any Miniſter here, (that I can hear of) beſides himſelf, could penetrate into the Errand. As ſoon as ever I could compaſs a Copy of the Letter itſelf, I diſpatched the Bearer away with it; it ſeems to me of infinite Importance, and in all Probability will (tho' it be yet a great Secret) be made as publick as the Conditions lately Printed: The News that is brought with this Letter is, that M. *de Ruvigny* was arrived at *Deinſe* the $\frac{8}{18}$*th*, juſt before this Courier came away, with new Propoſitions out of *England*; and that there was but the Town of *Charlemont* in Difference between his Majeſty and the *French* King: I take no more Time to enlarge, but ſubſcribe myſelf, *&c.*

L. Jenkins.

Nimeguen, 13*th May*, 1678.

Right Honourable SIR,

ON *Saturday* Evening I took Leave to trouble you with a Letter, which carried incloſed in it a Copy of a Letter the Moſt Chriſtian King writ on the $\frac{8}{18}$*th* Current from *Deinſe*, to the States General: I ſent that by an Expreſs, I incloſe another Copy herewith: About two Hours after the Expreſs was gone, M. *Beverning* came to acquaint me (as he ſaid) in Confidence, with the Contents of that Letter, and with the Time and Manner he came by it; after he had told me, how it grated too hard upon him and upon his Maſters in ſeveral Things without Ground, or Cauſe for ſo doing, given on his Part or his Maſters; and after he had obſerved to me, that there were in it ſeveral Clauſes that were ambiguous and obſcure, he gave it me to read; he would not give me, he ſaid, any Copy of it, for that it would be in Print very ſud-

denly, and he would keep himſelf in a Condition to affirm, with Truth, to his Maſters and all others, that no Copy had been got out of his Hands; for beſides that all the *French* that could write, were imployed by the Ambaſſadors to write out Copies, he had underſtood the Printers of this Town had been tampered with on *Friday* Night, to Print off ſome Copies; and when theſe Printers refuſed, there was ſent away a Perſon on *Saturday* Morning in all Haſt to *Arnheim*, where there is a Preſs that will do the Work.

It was at 8 on *Friday* Night, that the *French* Ambaſſadors took Audience (upon ſpecial earneſt Buſineſs, and deſired it forthwith) of M. *Beverning*, and 'tis an Obſervation that others, as well as I, make, that they came with 3 Coaches, (a Parade not uſual) and with all the Livery Men which they could get together; which cauſed extraordinary ſtaring in the Streets, and whetted every body's Expectation and Enquiry what the Matter ſhould be.

M. *Beverning* told me nothing of what paſſed between him and them, but that M. *Colbert* did hugely amplifie and declame upon the King their Maſter's earneſt Deſire of a Peace; and that the ſame Letter had been ſent two ſeveral Ways to the States, that they might be ſure not to miſs of it.

At 10 on *Friday* Night, M. *Beverning* ſent the Letter away by an Expreſs to the States, and made Account it would be in their Hands by 5 on *Saturday* Afternoon; he confeſſed it would have the ſame pernicious Operation as the Conditions had, when it ſhould become publick among the vulgar; but he thought it might come too late for the bringing about of any extraordinary Effects upon the States themſelves, for that the Deliberations of *Friday* (which was to be a very great Day with them) will have ſo ruled and determined ſeveral Things, that the States will not be at the ſame Liberty when the Letter ſhall come to their Hands, as they would have been, if the great Buſineſs of *Friday* had not been fix'd, as he ſuppoſed it was.

It was eaſy to perceive, that M. *Beverning* is of Opinion, that this Letter is a fair Occaſion for the States to make a civil Anſwer to it, and in their Anſwer, to ask for ſome convenient Time to deal with their Allies, in order to bring them to accept of the *French* Conditions. I minded him, that the States having concerted with his Majeſty, what Conditions to inſiſt on in Behalf of the Allies, it was a Juſtice they owed to the King, as well as to the Allies, not to make any Step that Way, without firſt acquainting his Majeſty with what they intend to do: He ſaid, this was very juſt, and he meant it no otherwiſe; his View being, as he ſaid, to have the States propoſe this Opportunity, as a proper one to the Miniſters of the Allies at the *Hague*, but not till the Thing be firſt agreed with his Majeſty; how this can be done in the ſhort Time that this Anſwer is to be made, I do not ſee.

He ſeems to be confident the Emperor would come into the Peace, if any Thing reaſonable could be got for the Duke of *Lorain*, for whom the Emperor is mightily concern'd, and the reſtoring of *Nancy* would ſatisfie all. For the *Spaniards*, he is confident they will part with *Ipres*; and two or three Chaſtellanies leſs than they would otherwiſe have, is not of that Moment to them, he ſays, as to hazard all rather than let them go; he ſeems to be very confident, the *Dutch* can bring the *Spaniards* to do any Thing they would have them. The *Imperial* Miniſters here he complains of being leſs diſpoſed to the Peace than the Emperor himſelf is; and yet M. *Stradtſman* told me on *Saturday* laſt, that

that he looks upon this ill Peace as a Thing that muſt be yielded to, otherwiſe the Emperor will be left alone in the War.

M. *Petcum* deſired me on *Friday*, that if I carried any Anſwer from the reſt of the Allies to the *French* Ambaſſadors, about prolonging the Term, I would give in the ſame Anſwer for him, as the *Imperialiſts* have put in for themſelves into my Hands; and that I would add, it was his Deſire to have ſome Explication of thoſe Words in the *French* Conditions, whereby it is ſaid, that *Sweden* muſt have a *full* and *entire Satisfaction*. I told him, (as I did the other Allies) that the *Holland* Miniſters in *England* having made ſome Overtures to his Majeſty, relating both to the Conditions themſelves, and to the prolonging of the Term, I would take Leave humbly to wait his Majeſty's Pleaſure and Orders, how to govern myſelf, before I would paſs any Offices upon thoſe two Points, but was ready to ſerve him and the Allies in any other Matter, wherein they ſhall think fit to make Uſe of me.

M. *Chriſtine* returned from *Bruxells* two Days ago; I take Leave to incloſe the 2*d* Addreſs of *Boreel* and *de Weede* to the Duke *de Villa Hermoſa*, as I happen to have it.

Between 10 and 11 this Morning, comes M. *Beverning* to acquaint me, that he had received Orders laſt Night from his Maſters, to propoſe to the Miniſters here, a Ceſſation of Arms with *France*; to preſs them to it; and, in caſe they ſhould refuſe, to enter his Proteſtation againſt them, for all the Damages and ill Conſequents that may befal the Alliance. He ſaid, his Maſters *ſont au deſeſpoir*, thoſe that had aſſiſted the Prince of *Orange* to keep Things a while in a kind of Ballance, know not now which Way to turn themſelves.

For, 1*ſt*, They have found, upon Examination of Things, that *Spain* hath not above 2500 Horſe and Dragoons, and 5000 Foot, in all the *Low-Countries*, and of the Foot one half are Boys.

2. They, the *Dutch*, are not able (unleſs they diſfurniſh the Garriſons) to take above 16000 Men into the Field, that is the very utmoſt they can do.

3. Not one Man of the Allies will march; the Prince of *Orange* had ſent Orders for 3000 *Lunenburghers*, and others of that Side, to march and join his Army, as it was promiſed him they ſhould do, from about *Ruremonde*, where now they are; their Anſwer is, they will not ſtir till they be firſt paid: *Boreel* and *Dyckvelt* preſs'd the Duke *de Villa Hermoſa* to pay them, it being his Part and Undertaking ſo to do: He ſays, he hath not a Penny of Money to do it withal.

4. The *Engliſh* Letters of the 17*th*, give them no Hopes of a ſudden effectual Relief; *le Parlement eſt dans une telle aſſiette qu'on n'enpeut rien attendre juſques à ce qu'il ait quelque ſatisfaction touchant les Papiſtes*; theſe were his Words: Beſides, they are told that 20,000 Men is the outſide of what *England* will furniſh of Land Forces for *Flanders*, and theſe are not ready neither.

5. The Moſt Chriſtian King is in the Head of an Army of 45,000 Men in the Heart of *Flanders*; and whether he do undertake ſomething upon the Sea-Coaſt, in order to cut off all Succours out of *England*, or elſe do attack *Antwerp* or *Bruxells*, he will carry all before him; thoſe in *Antwerp* declaring, they will open their Gates as ſoon as he appears, all the *Spaniards* in the Country being too few to defend the Citadel.

These are the Reaſons wherewith, he ſays, he hath already preſs'd M. *de los Balbaſes*, and he is willing to accept of the Ceſſation; the *Imperialiſts* being preſs'd with the ſame Reaſons, ſaid neither yea nor nay to it laſt Night; he wasgoing from me to ſpeak with M. *Petcum*,

and M. *Cannon* to the ſame Effect; his Deſign being for all to appear at the Meeting they are to have of Courſe this Afternoon, to the End he may give an Account of the whole to his Maſters. He came not to me, he ſaid, to ask any Thing by Way of Office, or otherwiſe; but would have been glad to learn from me, what I ſhould be at Liberty to communicate out of my *Engliſh* Letters of the $\frac{7}{17}th$; but ſo it falls out, that I have none that are yet come to Hand; he telling me, the Letters were come to the *Hague*, but that there was not Time to ſend them as uſual.

The Duke *de Villa Hermoſa* hath accepted the Truce for ſix Weeks, as appears by the incloſed Copy of his Anſwer to M. *Boréel* and *Dickvelt*'s Memorial.

M. *Petcum* being, as I conceived, heated with M. *Beverning*'s Applications to him, came to me, to deſire me to apply my ſelf to the *Imperialiſts*, and to exhort them (for they are the only Party that ſtand out) to accept of the Ceſſation of Arms: This I refuſed to intermeddle in. Then he ask'd me, whether I would adviſe him what to do in it; the Anſwer I gave is obvious: For what Reaſon or Pretence had I to offer any Opinion or Advice in a Buſineſs that I ſaw the Allies divided, and in which I know nothing of his Majeſty's Mind. He ſaid, that a Ceſſation at this Time would be prejudicial to the King his Maſter, in Regard that M. *de Guldenleew* is attempting ſomething upon *Gottemburgh*, which muſt needs come to nothing, if a Ceſſation take Place; but he ſeeing the *Dutch*, and the Duke *de Villa Hermoſa*, yielding to it, he could not, as they adviſed, and being here all alone, take a better Courſe than give his Conſent to it, which he intends to do this Afternoon; ſince he believes, that the preſerving of the *Low-Countries* doth wholly depend upon it.

L. Jenkins.

Poſtſcript.

13th May, 1678. 9 at Night.

THE Allies aſſembled at five, and broke not up till now. M. *Blaſpiel* (who was come to Town half an Hour before) declared againſt the Ceſſation, it being prejudicial to his Maſter; M. *Petcum* would do no more but write about it; the *Spaniards* were warm for it; the *Imperialiſts* concluded nothing, but ſtarted a Queſtion, whether the *French* Ambaſſadors would accept it or not; they were earneſt to come to me and require my Offices towards the *French*, in Order to ſound them upon the Point; M. *Beverning*, from whom I have this Account, oppoſed it, as he tells me, but thinks they will either come, or depute to me; you will pleaſe to imagine my Anxiety cannot but be extreamly great, ſince I know nothing of his Majeſty's Pleaſure in theſe Points. The Biſhop of *Gurck* ſends me his Secretary juſt as I am cloſing, to tell me, that for the Reaſons M. *Beverning* gave them, they, the *Imperialiſts*, conſented to the Ceſſation.

Nimeguen, 16th May, 1678.

Right Honourable Sir,

MY laſt was of *Monday* the *13th* by Expreſs; I have ſince the Favour of one from you of the *16th*. I was, I muſt confeſs, in Hopes, it would bring me ſome Light and Comfort; but Things are ſo fallen out on that Side, that I ſee plainly I was to expect no more than what

what you tell me in it: 'Tis true, I cannot but be ſollicitous for my ſelf, what Steps to make here in the Figure and Function I am in; but now my greater Concern is for his Majeſty, whom I beſeech GOD to aſſiſt and direct in the preſent Streights; I may run into Errors, being, as I am, in the Dark; yet it ſhall never be, but where I want Light, or elſe want Judgment, to diſcern what is beſt and neareſt his Majeſty's Mind and Favour.

IN the *Poſtſcript* of my laſt, I gave you an Account what M. *Beverning* and the *Imperial* Secretary had told me, of the Allies having conſented that Evening to the Ceſſation.

NEXT Morning being *Tueſday*, M. *de Gurck* gave me a Viſit, and in it gave the Reaſons why he and his Collegues conſented to the Ceſſation; they were the very ſame in Subſtance that M. *Beverning* had enlarged on, in a Viſit he had given me the Day before, whereof you have an Account in my laſt. That which he ſaid of the *Northern* Allies, (M. *Blaſpiel* and M. *Petcum*) was, that they had not in expreſs Terms conſented to the Ceſſation, as not being inſtructed, and knowing it to be prejudicial at this Time to their Maſters; only they would paſs by, and not take notice of this Step of their Co-Allies, it being not of ſo direct and immediate a Concern to them in the *North*, ſince there is no likelihood in theſe ſix Weeks Time, that there will be any Operation of War between the Forces of their Maſters, and thoſe of *France*. Two Things he repeated often; the one, that they, the *Imperialiſts*, would never ſuffer themſelves to be drawn to conſent to one Day more than the ſix Weeks; the other was, that they had not given their Conſent to this Ceſſation, but in Contemplation that it would be ſo much Time gain'd to his Majeſty, in Order to ſatisfie his Subjects at Home, and to put himſelf more and more in a Poſture for the War; this, he ſaid, was in their Judgment, a Service to the common Cauſe; beſides that, it was the only Means viſible to ſave the *Low-Countries* from being ſwallowed up, before *England* could come to its Succour.

HAVING enlarged upon the Reaſons they had for what they had done, he ask'd me, whether I would paſs any Offices with the *French* Ambaſſadors, to try whether they would accept of this Ceſſation for ſix Weeks or not; 'tis true, he ſaid, they concluded in the Aſſembly, that it was poſſible I would have ſome Difficulties upon me to make any Step of this Kind in this Conjuncture; however, that he was come to know, if I were at Liberty or not to do it.

I told him, that I lookt upon a Ceſſation of Arms as an Incident of that Importance, that a Miniſter of a Mediator Prince ought to be ſpecially inſtructed before he propoſe it, in Regard that where both Sides accept it, it ſhall not be underſtood to move from either of them, but from the Mediator himſelf; and that his Guarranty will make it good; no Miniſter I thought ought to bring his Maſter within the Implication of a Guarranty without his expreſs Orders, and I had none at this Time. That my Collegues here underſtood it ſo, when the *French* Ambaſſadors offered a Ceſſation of Arms in *April* was twelve Months, for that we then made no Manner of *Ouverture* or Office upon that Offer to any of the Allies, but firſt reported the whole to his Majeſty, in Order to receive his Pleaſure upon it: This I ſpoke, upon Occaſion of his preſſing to know, whether any ſuch Queſtion had fallen in our Way before.

THAT which I cloſed with was, that the *Holland* Miniſters had brought this Queſtion before his Majeſty, and had deſired his Offices to procure this Ceſſation; that I knew not yet what his Majeſty would do upon

upon it, but that I was not to preſume to do any Thing but in Conformity to what his Majeſty ſhould reſolve and direct in the Thing now lying before him; therefore that I muſt beg them to diſpenſe with me, till I have the Honour to know his Majeſty's Pleaſure.

He did not Return any Thing by Way of Objection to what I had anſwered; but was pleaſed to ſay, he was well ſatisfied.

I beſeech you, Sir, do me the Favour, when you can have any Moment of Leiſure, to know what his Majeſty will pleaſe to order me to do, in Caſe that the *French* refuſing this Ceſſation, becauſe 'tis ſo ſhort, the Parties come to treat of a longer one; and if they do agree either to this or to another Ceſſation, and begin to treat the Conditions of Peace, whether I ſhall interpoſe my Offices if I be requir'd, or offer my Service to any of the Parties; as alſo what I am to do in Caſe the *French* and the *Dutch* do treat their Buſineſs ſeparately, as I now ſtrongly apprehend they will from the other Allies.

I ſhall take Leave to obſerve upon this Occaſion, that we are in the dark, as to what hath been treated between the *Dutch* and the *French* Ambaſſadors touching their Commerce; *firſt*, the *Dutch* Project as it was delivered us, had no 7*th* Article in it; it begun with the 13*th*, the firſt 12 being offenſive and defenſive Articles; nor did the *Dutch* at any Time tell us, that their Grievances lay in the penning of any of the Articles, but partly in the Conſtitutions, and partly in the Abuſes committed by *France*; yet we ſee the Moſt Chriſtian King's Letter from *Deinſe*, fixes the giving of them Satisfaction upon the 7*th* Article of that Treaty of Commerce.

M. *Chriſtine* expreſs'd to me yeſterday a very great Apprehenſion for *Antwerp*, he had been employed, as he came back that Way laſt Week from *Bruxells*, to diſpoſe thoſe Citizens to make a Defence, in Caſe they ſhould be attacked; inſtead of hearkning to this Propoſition, they called upon him to haſten hither, and to make up any Kind of Peace to ſave them; that not only the Generality, but he fears, the trading People among them, do in a Manner wiſh that that City were in the Hands of the *French*, imagining that the *Scheld* would then be opened, and all the Trade of *Holland* pour in upon *Antwerp*; but they would not at any Hand be perſwaded to take in any of the Prince of *Orange*'s Men to defend them, nor any Strangers whatſoever: They will receive, they ſay, the Troops of their own King, and with much ado there were 1000 Men of the King of *Spain*'s Troops got together, and ſent into them, which (it ſeems) is all the Strength the *Spaniards* have in that City at this Time; but the deſperate Eſtate of that whole Country is ſuch, and ſo well known, that I need not trouble you with what this Ambaſſador enlarged upon that Subject.

Having writ thus far, and having not heard from M. *Beverning*, who had promiſed to let me know the poſitive and final Reſolution of the *French* Ambaſſadors, whether they accepted of the Ceſſation that the Allies propoſed, and had conſented to on *Monday*, or not: I went to him juſt at Noon; he told me, that the *French* Ambaſſadors would not accept of ſo ſhort a Ceſſation as that of ſix Weeks, nor ſo much as write to their Court about it: 'Tis true, he ſaid, that when he ſounded them by a third Perſon upon this Queſtion, they ſhow'd ſome Inclination that they had Power to treat of a longer Term (M. *Blaſpiel* expreſſed it, that they were inſtructed to treat for a Ceſſation of ſix Months) but that he had not ſince heard from them.

My Queſtion being thus anſwered, he went on to tell me, all was in a Confuſion with them at Home; that the *French* being now in the

Pais

Pais de Waes, were giving *un coup mortel* in their own Hearts.

At laſt he blurted out, but conjuring me firſt to the utmoſt Secrecy poſſible, that the States had now reſolved upon a Deputation to the Moſt Chriſtian King at *Ghent*, and had ordered him, M. *Beverning*, to go ſtrait from hence, by the ſhorteſt Way that can be thought of, to wait on that King at *Ghent*, or wherever elſe he is; that a Friend had ſent him private Advice of this Reſolution by a Poſt this Morning, that he might have ſome little Time to think of what he is to do; that he cannot reſolve to go upon this Errand as thus adviſed; that he had rather have his Head cut off than undertake it, ſince nothing can be done there but what is deſtructive to his Country, and will be diſhonourable to him; that he takes himſelf to be one of the States, as well as they that now command him, and that they have others that will ſerve ſuch a Turn better than he; what he will reſolve when he ſees the Orders and Inſtructions of his Maſters, (for I left him in Expectation of them) I cannot tell; only I cannot but infer out of what he ſaid, of the Diſhonour it would be to him, that the States have reſolved not only to depute to *Ghent*, but alſo to frame themſelves to every Thing that *France* ſhall ask of them, and to leave their Allies to ſhift as well as they can for themſelves.

It is now 7 a Clock, and the Aſſembly of the Allies (that begun at 5) is newly broke up; all that I can learn out of it is, that M. *Beverning* (tho' he was preſent there for ſome Part of the Time) had no Diſcourſe with any but the Marquiſs *de los Balbaſes*. It was the Belief of ſome in the Aſſembly, (M. *Chriſtine* was named for one) that M. *Beverning* had excuſed himſelf, and would not go upon the Deputation to *Ghent*. I do not hear of any body elſe that is named for it. There was nothing paſſed in this Day's Conference of a longer Ceſſation than that of the 6 Weeks. It was thought that a Ceſſation of 3 or 4 Months would have been propoſed, in Regard that there was ſome Reaſon to think, that the *French* would accept one of that Length, and that the Allies would yield to it; but M. *Beverning* told me at Noon, he would not be the Man to propoſe any ſuch Thing, having no Orders for it from his Maſters. This I thought ſafeſt to commit to an Expreſs, and remain, *&c.*

L. Jenkins.

Nimeguen, 20*th May*, 1678.

Right Honourable Sir,

My laſt was of the 16*th* by an Expreſs, we have no *Engliſh* Letters ſince.

On *Saturday* in the Evening, M. *Beverning* was with me, to tell me, that the States General had repeated their Orders to him, to go with all Diligence poſſible into *Flanders*, as their Deputy, to wait on the Moſt Chriſtian King; and that the States of *Holland* (who were, he ſaid, thoſe to whom he owes all Obedience) had writ to him to the ſame Effect; and that he muſt not refuſe what they ſhould command him: He told me, he had ſome Hopes that Things would not be altogether ſo bad, as he apprehended upon the firſt News of this Deputation; that what is now done, is not without the Knowledge of the King our Maſter; and that they in *Holland* have underſtood by a Letter written from *London* upon the 10*th* Current, very late at Night, after the publick Diſpatches were made up, that his Majeſty being acquainted with

with this Intent of the States, gave his Conſent that this Deputation ſhould be made: However, that they were reſolved to remain firm to *England*, and in no caſe to be ſeparated from it.

About two Hours after, I was to take my Leave of him, and he repeated again theſe laſt Words; whereupon I took Occaſion to repreſent unto him, the beſt I could, the Senſe the States ought in Juſtice and Honour to have of his Majeſty's having entered ſo frankly as he hath done, into the preſent Meaſures he hath with them, and the Obligation they have to him, for that invaluable Pledge he hath given them of his entire Friendſhip, which will be alſo a Means, under God, of an Union, the moſt laſting and ſtricteſt that can be, betwixt the two Nations. He went away very early yeſterday Morning, intending to be at the *French* Camp in two Days.

I am unfortunately fallen here into an Embarraſs with the Marquiſs *de Fuente*, upon a Point of Ceremony, which is an Incident more unreaſonable at this Time, than it could be at any other. On *Friday* he received the Viſits of the *Imperial* Ambaſſadors at M. *de los Balbaſes* his Houſe in the Morning, and returned them in the Afternoon; I having Notice of it, had prepared the Letter that goes incloſed, which you'll find is the ſame in Subſtance that I writ to *Don P. Ronquillo* upon the like Occaſion. Mr. *Chudleigh* carrying it, met firſt in the Secretary of the Embaſſy, then in himſelf, much of Scruple, to give any *Eclairciſſement* in the Matter, pretending there was enough done when the Body of the Embaſſy made their Viſits; and this being but the ſame Thing done over by him, there was no need to repeat it. However, M. *de la Fuente* ſaying it was an Affair of the Embaſſy, and he muſt firſt ſpeak with his Collegues, promiſed he would afterwards anſwer my Letter; about 5 or 6 Hours after he ſends me the *Maigre* Anſwer that you will ſee incloſed. Next Morning, which was *Saturday*, I ſent him this Letter back again by Mr. *Chudleigh*, telling him, it was not ſufficient, as I conceived, for my Diſcharge towards his Majeſty; Mr. *Chudleigh* carrying, and offering to ſhew him the Original Letter that *Don P. Ronquillo* had written to me upon the ſame Subject; his Anſwer was, after that Mr. *Chudleigh* had diſcourſed the Thing to him at large, that he could do no more than he had done.

In the Evening M. *Chriſtine* takes an Hour of me, his Buſineſs was, to perſwade me I had no Reaſon to inſiſt for ſuch another Letter as *Don Pedro* had writ; or otherwiſe, that I ſhould be content with a ſhort Billet, as the Biſhop of *Gurck* had writ to me, when the like Viſit paſs'd between him and the *Spaniards*; my Anſwer was, that I deſired nothing that was new, nothing more than what was done by *Don P. Ronquillo*, in the Name of the Embaſſy; and that I could not go leſs than that Precaution, *&c.*

Last Night was with me the Secretary of that Embaſſy, and brought me the new Powers of thoſe three Ambaſſadors, deſiring me to paſs my Offices upon them, and exhibit them, as I had done formerly, towards the adverſe Party: I told him, I was as ready as ever, to render my Services to the Marquiſs *de los Balbaſes* and M. *Chriſtine*, in any Thing that concerned them or their Negotiation here, but that M. *de la Fuente* having made a Step, that I did not know how to reconcile with the Reſpect that all Parties here have paid to his Majeſty, as Mediator, and having refuſed to favour me with ſuch an Explication as was requiſite, in order to ſatisfie his Majeſty, I could not paſs Offices upon Powers wherein M. *de la Fuente* was named, until I had either ſuch an Explication from him as I had from his Collegues, or elſe new Orders from his Majeſty.

Thus

THUS far this Affair is gone; the *French* Ambaſſadors take that Part in it, as to go all along with me, they having come to my Houſe on *Friday*, to ask me what Courſe I intended to take upon this Incident; and having approved of my Reſolution, to write as I did to M. *Fuente*, they continue hitherto to ſay, they will not viſit M. *de la Fuente*, until that Right be done to his Majeſty's Mediation, as I have inſiſted on: Beſides, the Letter I writ, and that M. *de la Fuente* writ to me, being ſhewed them, they were abſolutely of Opinion, that the Anſwer was in no wiſe ſatisfactory, there being no Mention of his Majeſty as Mediator in it; they having told me, the Nuncio's Auditor had been tampering with them on *Friday* and *Saturday* from the *Spaniards*, that they find by him, the Nuncio ſhall have ſuch another Letter (fully in the ſame Terms) from M. *de la Fuente*, as M. *de los Balbaſes* had writ to him, and as *Don Pedro* writ to me, upon Occaſion of the firſt Viſits; they add further, that the *Spaniards* offer them, the *French*, by the Auditor, an Act of theirs, whereby it ſhall be declared, that this Viſit to the *Imperialiſts* ſhall be no Prejudice to them, and that this Act ſhall be depoſited and remain in the Nuncio's Hand. The Auditor went further with them, and offered to exhibit to them the *Spaniſh* Powers; but, they ſay, they refuſed to receive them, till they ſhould underſtand that the due Regards were paid to his Majeſty's Mediation, and that I was free to paſs the uſual Offices.

I muſt do them that Right, that they have been twice at my Houſe about this Buſineſs, and have ſent to me very often, to let me know the Steps that were made by the Auditor: Beſides, they ſpeak with as much Reſpect as ever of his Majeſty's Mediation, and have told me plainly, that till I be ſatisfied they will not ſtir.

THE Satisfaction we had from *Don P. Ronquillo* was ſcanty enough, and now I perceive the *Spaniards* would reduce it to nothing, by the ſlight Account that M. *Chriſtine*, and the Secretary of the Embaſſy, make of *Don Pedro*'s Letter, and the ſeveral Ways they fancy to elude it; and if they offer the Nuncio and the *French* Satisfaction to their Mind, I hope his Majeſty will not be offended, that I inſiſt finally to have M. *Fuente* do as much as *Don Pedro* did. I moſt humbly beg his Majeſty's Pleaſure upon the Matter, for I am not certain but M. *Fuente* may let Things ſtand till they can write into *England*, whence they are pleaſed to threaten me very much. I am, *&c.*

L. Jenkins.

A Marquis *de la Fuente*, Ambaſſadeur *d'Eſpagne.*

Maij 17th, 1678.

MONSIEUR,

AYANT apris que vôtre Excellence a reçu & rendu ce jourd'huy des viſites qu'on pourroit prendre pour des Viſites de Ceremonie entre des Ambaſſadeurs ſelon le ſtile de ce lieu, & n'ayant pas eu encore l'honneur d'eſtre averti de l'arrivée de vôtre Excellence en cette Ville, ſelon les formes & dans l'ordre qui a eſté tenu conſtamment juſques-icy à l'égard des Miniſtres du Roy mon Maître; Je me trouve obligé d'écrire ce petit mot à vôtre Excellence, afin qu'elle faſſe reflexion, s'il luy plait, ſur les formes receües & eſtablies dans cette Aſſemblée, à l'obſervation des quelles ſa Majeſté a d'autant plus d'intereſt, que leurs Excellences Meſſieurs les Ambaſſadeurs qui la compoſent ont trouvé bon de

déferer unanimement ce primier reſpect aux Ambaſſadeurs de ſa Majeſté comme Mediateur, en commun receu & reconnu de toutes les parties. C'eſt pourquoy je prens la liberté de ſupplier vôtre Excellence de m'éclaircir par un mot de Lettre de ce qui s'eſt paſſé à cet égard afin que je puiſſe me conformer à ce qui ſera de mon devoir, tant envers le Roy mon Maître qu'envers vôtre Excellence, je ſuis perfaitement, MONSIEUR, *&c.*

L. Jenkins.

Reſponſe de le Marquiſs *de la Fuente.*

MONSIEUR,

POUR réponſe à la Lettre qu'il plut à vôtre Excellence de m'envoyer, je ne luy ſçaurois dire autre choſe, ſi non que je ne prétens point changer l'ordre de cette Aſſemblée ; mais de ſuivre celuy qui eſt établi entre les Miniſtres de la tres-Auguſte Maiſon d'Auſtriche, & que Meſſieurs mes Collegues ont obſervé icy : Aſſurant au reſte vôtre Excellence, que je conſerveray toûjours le reſpect, que je dois à ſa Majeſté Britan. & la paſſion avec laquelle je ſuis, MONSIEUR, *&c.*

Le Marq. de la Fuente.

Nimeguen, 21ſt May, 1678.

Right Honourable SIR,

MY laſt was of yeſterday by the Ordinary, ſince which I have none of yours ; the Occaſion of this by an Expreſs is, that M. *de Haren* came to me juſt now, to communicate to me a Reſolution the States General had taken upon *Sunday* laſt, being *Whitſunday*, a Day, as he obſerved to me, that they would not have meddled with any Buſineſs on, but where the Neceſſity was preſſing, and the Importance of the utmoſt Conſequence. He firſt gave me a ſhort Account of the Reſolution, out of a Paper that he had drawn up for the Help of his own Memory, and put into *French*, the Subſtance whereof was to this Effect.

THAT the States having contributed all that lay in their Power to the common Cauſe, are now ſo exhauſted in their Finances, that they can do no more ; that ſeeing the Danger the *Spaniſh Netherlands* are in to be altogether loſt, ſeeing the great Forces the Moſt Chriſtian King hath now in the Heart of the Country, that little or no Help that is like to be had from any other Parts, and how unable the Forces that are got together are to make Head againſt the *French* Forces ; and laſtly, ſeeing the Uncertainty of what Reſolution *England* will come to, they, the States, do look upon a Peace as the only Means to ſave that Country.

THAT they, the States, could moſt heartily wiſh, they were able to procure Conditions of Peace more advantageous for their High Allies ; that they have done their utmoſt to procure better for them, but God Almighty having not bleſſed their Endeavours, and their Inability at this Time being ſo great, and there being but little Help to be expected from any others, they find themſelves obliged to have Recourſe to ſuch Means, as are the only viſible ones to prevent the entire Ruin of their State. That they are perſwaded, 'tis not the Wiſh of any of their High Allies, that the States ſhould draw upon themſelves a total Subverſion of their Government, that being in no wiſe for the Service of the Allies,

ſince

ſince after the Ruin of this State, the Miſchief would not ſtop here, but would be attended unavoidably with a more general Ruin. They therefore pray the Allies, to apply their Thoughts, without further Delays, to carry on the Work of the Peace, and rather to give Way to thoſe hard Conditions that *France* offers them, than continue a War, like to be more and more deſtructive. That the States deſire to know of the Miniſters of the Allies, what can be done for them, as to the Conditions of the Peace; that they will contribute thereto moſt affectionately all that is poſſible for them; and that they would be very ſorry, that a Peace ſhould be concluded otherwiſe than with the common Concert of the Allies. That, on the other Side, the States do promiſe to themſelves, that the Allies, when they ſhall ſee that there is not, in humane Appearance, any other Means or Reſource for Relief of the common Cauſe, will be pleaſed not only not to hinder, but alſo to help and co-operate in their Endeavours to ſave themſelves, as well as theſe States, by a Peace. That they do hope the Miniſters of the Allies will do them that Juſtice, as to conſider, that in Circumſtances ſo deſperate, wherein the States ſee themſelves abandoned on all Sides, they will not take it amiſs if they do their Endeavour to prevent the Ruin of their Republick by a Peace, they ſeeing no other left them whereby to do it.

This is the Subſtance of the Reſolution, as far as I could gather it up in my Table-Book, as he read over his Paper to me a ſecond Time, excuſing himſelf that he left no Copy with me, for he intended to leave none with the Allies, with whom he was to have a Conference, but in the ſame Manner to communicate to them this Reſolution this Afternoon.

He told me, he could not conceal from me, that the States were come to this Reſolution, chiefly upon the Advices in the Letters of the $\frac{14}{24}$*th* Current out of *England*, ſaying, that his Majeſty, *s'eſtoit expliquée a Nos Miniſtres de la ſorte que comme elle ne pouvoit pas Conſeiller, auſſi me vouloit elle de conſeiller Meſſieurs les Eſtatz*, (thoſe were his very Words) in the Way they were now upon, in order to procure a Peace.

He added, that M. *de Burgomayne* had been with his Majeſty on the Evening of the $\frac{13}{23}$*th*, to beg his Counſel, touching the Means that were to be uſed for the ſaving of the *Low Countries*; that his Majeſty had anſwered, he would not diſſemble from him, that he had not Treaſure ſufficient wherewith to undertake ſuch a War; that he was not certain what the Reſolution of the Houſe of Commons would be when they met, for the ſupplying of his Majeſty; and tho' they ſhould reſolve to do it, yet it would take about 10 Days Time to paſs an Act of Parliament to that Effect. That his Majeſty had further anſwered him, he would be glad to know of him, M. *de Burgomayne*, what were the moſt probable Means he could ſuggeſt to ſave the *Spaniſh Netherlands*; that thereupon he had anſwered, he knew none more likely, than *que d'amuſer le Roy Tres Chrêtien*; which M. *de Haren* did not mention without a Smile, that ſpoke it very unlikely to bring the *French* King into ſuch an Amuſement at this Time.

He read me a Paſſage out of a Letter from the *Holland* Miniſter at *Bruxells*, wherein it was ſaid, that the Duke *de Villa Hermoſa*, tho' in a former Letter he was willing to reſign all his Intereſts into the Hands of the States, yet in his laſt Anſwer deſired ſome Reſpite, before he ſhould give his Opinion touching his Compliance for a Peace; his Deſire was, firſt to ſee what Iſſue M. *Beverning*'s Deputation would have; and it was added, that *Don P. Ronquillo* was againſt the making of a Peace.

M. *de Haren* deſired me to take notice, that the States made none of theſe Steps without acquainting their Allies; and that tho' there were ſome Words in their Reſolution, tending to a ſeparate Peace, yet thoſe were not poſitive; and it was certain, they would do their utmoſt Endeavours to have their Allies come in, and to be comprehended in whatever Peace they ſhould make.

While M. *Haren* was with me, there was a Gentleman waiting to take an Hour of me for the *French* Ambaſſadors out of Hand; their Buſineſs was to acquaint me, as by Order from the King their Maſter, that he would be content with a Ceſſation, and had offered it to the States General till the laſt of *December* next; and that in the mean Time, there ſhould be all Freedom of Commerce with the Subjects of this State; this they deſired me to make known to the Allies, telling me, they had already deſired the ſame Thing of the Nuncio, it being the Intereſt of their King, that the Sincerity of his Deſires of a Peace, and the Equity of the Conditions upon which he offers it, might be made publick to all the World, and eſpecially in this Place, by Means of the Mediators.

They confeſſed there might be ſome Alteration in this, ſince M. *Beverning* was gone with another Propoſition to the *French* Camp. However, they ſaid, it lay upon them, not to conceal the Offers that their King made of this Kind: My Anſwer was, that I would be ſure to make an humble Repreſentation of this to his Majeſty; but as for my communicating it to the Allies, I told them, that the *Dutch* having by their Miniſters made Inſtances with his Majeſty relating to a Ceſſation of Arms, and to the Peace itſelf, and his Majeſty, according to the laſt Advices I had, having in Deliberation what to do upon thoſe Inſtances, I would take Leave to expect his Majeſty's Pleaſure how I was to govern my ſelf here, that I might be ſure not to make any Step, but what may be conformable to his Majeſty's Pleaſure, and to his Proceedings on that Side.

You ſee, Sir, how I am called upon every Day, either as a Witneſs and Mediator, or elſe as a Party intereſſed in what is tranſacted here; and how I am at a Loſs how to govern my ſelf, for Want of knowing his Majeſty's Pleaſure: I hope your Orders to me are by this Time in the Way hither; if they be not, I beſeech you to haſten them all you can, which will be a very extraordinary Favour to one ſo much in the Dark as I am.

In the Cloſe of my Converſation with the *French* Ambaſſadors, they told me, they had juſt then diſcovered, in an Audience they had from the Nuncio, that M. *de la Fuente* had not only brought himſelf to an Embarraſs with me and the reſt of the Ambaſſadors here, in Point of Ceremony, but had ſo brought it about, that the *Spaniſh* Embaſſy is, as they, the *French*, do very much ſuſpect, without any Powers at all. For the Nuncio offering them new Powers for the three former Ambaſſadors and this new one; they asked him, what the Date of it was; he anſwered them, he did not underſtand the *Spaniſh* Language in which it was writ, and looking for the Date in the middle of the Writing, ſaid, he could not find it.

The *French* Ambaſſadors excuſing themſelves, that they could not receive any *Plenipouvoir* for M. *de los Balbaſes*, *Ronquillo* and *Chriſtine*, in Regard they had already received one from me, and that that was a *Plenipouvoir* and a Preliminary, not only already adjuſted, but had ſeveral Acts and Conſequences paſt upon it, that were not now to be alter'd, unleſs they would undo all that was already done: But then

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ſaid the Nuncio, Will you leave the *Spaniſh* Embaſſy without any *Plenipouvoir* at all? From this the *French* Ambaſſadors do collect (as alſo from a great Paſſion the Auditor fell into at another Time upon the ſame Occaſion) that this is a *Plenipouvoir* for all four, of a freſher Date than the former, as was agreed by the Act obligatory, and exchang'd accordingly; if ſo, the firſt *Plenipouvoir* is revoked by this latter, and conſequently all the Acts and Offices that were paſs'd upon it, do ſtand now, or rather fall, without any Foundation left them. Whereas the only Way to bring in M. *de Fuente*, would have been to give him his *Plenipouvoir* as an Adjunct, and then the firſt Powers would have remained entire.

THIS is an Incident that I perceive the *French* Ambaſſadors are willing to lay hold of, as a *Spaniſh* Artifice, to introduce a Nullity in the Proceedings here, they wanting a ſufficient Foundation, as they wanted at *Aix la Chapelle*, when they would have the Baron *de Bergyck* to act as an Ambaſſador and Plenipotentiary of the Marquiſs *de Caſtell Rodrigo*; however, this is a new Acceſſory in the Caſe, as it lay in Difference between me and the *Spaniards*, and will not be ſo eaſily made up. I remain, *&c.*

L. Jenkins.

Nimeguen, 23d May, 1678.

Right Honourable SIR,

I Troubled you on the 20*th*, with a Letter by the Ordinary, and on the 21*ſt*, with another by an Expreſs. I have ſince the Favour of one from you of the 14*th* Current, and humbly thank you for it; eſpecially for the Light you are pleaſed to give me, in letting me ſee what you write to the *Hague* by the ſame Ordinary.

ALL the Account that I have of the Aſſembly of the Allies on *Tueſday* (which met together in Order to receive M. *de Haren*'s Propoſition, or rather his Summons to them, to give into a Peace) is, that he begun his Diſcourſe with *England*, as having given Occaſion that the States are entred into the preſent Counſels. The Allies gave no Anſwer then, but (as their Manner is) took Time to adviſe.

M. *Petcum* having been told, that the *French* Ambaſſadors had deſired me to propoſe to the Allies an *Armiſtice* till the laſt of *December*, with Liberty of Commerce for that Time, came to ask me, whether I would make to them and the reſt of the Allies any ſuch Propoſition or not? My Anſwer was, that I was in Hopes of having the Honour of his Majeſty's Directions, how to ſerve the Aſſembly in ſuch a nice Propoſition as that was; but till I had that Honour, I thought it ſafeſt not to enter upon any Office: He ſays, nothing can be ſo ruinous to the King his Maſter, as a Ceſſation would be at this Time: His Preparations and Forces by Sea and Land being this Year far greater than he hath had at any one Time ſince the Beginning of this War. Herewith goes a Print encloſed, that is publickly ſold here in this Town; wherein 'tis ſaid, the *French* Ambaſſadors ſpoke to the Mediators of the Ceſſation of Arms on the $\frac{20}{30}$*th* of *May*, but 'tis certain, they ſpoke not to me till the Day after; again, *qu'Eux ditz Ambaſſadeurs s'en Eſtoient deja ouverts* — this looks as if it had been to the Mediators, but it was only to the *Dutch* Ambaſſadors.

YESTERDAY M. *de la Fuente* ſent a Gentleman, who expreſſed himſelf, that he was come from that Ambaſſador — *pour ſaluer Monſieur l'Am-*

l'Ambaſſadeur Jenkins — this Word being brought to me, I ſent my Secretary to tell the Gentleman, I was ſorry I could not receive his Maſter's Complements till further Orders from his Majeſty.

FROM me he went ſtrait Home, and returned preſently, firſt, to Marſhal *d'Eſtrades* Houſe, then to the other two *French* Ambaſſadors upon the ſame Errand, which was to notify his Arrival; but none of them would ſee the Gentleman, only had ordered a Secretary to tell him, they could not receive his Maſter's Complements.

M. *Oxenſtiern* had a Gentleman ſent to complement him at the ſame Time; he ſpoke with him, and anſwer'd his Complement in general Terms: then he ſent his Secretary to me; when he underſtood by him what I had done, he reſolved, it ſeems, not to go on to the Viſit, but to do as the *French* Ambaſſadors and I had done: I have not yet heard what M. *de Haren* has done; from *Denmark* and *Brandenburgh* here are no Ambaſſadors in Town; ſo that the only Viſit we can yet hear of was made by the Nuncio, who was ſeen to go in *Parade* to the Marquiſs *de los Balbaſes* Houſe (where M. *de la Fuente* received his Viſits) within half an Hour after that the Gentleman had been with me, and with the ſeveral other Ambaſſadors.

WHAT was but ſuſpected in my laſt, is now a clear Caſe; the new *Plenipouvoir* of the *Spaniards* bears date in *March* laſt; ſo that the Nuncio, in receiving it, and viſiting M. *de Fuente* upon it, hath made a Step that is ſomewhat nice; for M. *de Fuente* not being an Ambaſſador but in Virtue of this Power, he hath acknowledged him ſuch; whereas the *French* Ambaſſadors, and the reſt of the Aſſembly, will never acknowledge him, or enter into any other Matter upon this new *Plenipouvoir*; for that would be the reverſing of a Preliminary already ſettled, and of ſeveral Things adjuſted upon it. I am, *&c.*

L. Jenkins.

Nimeguen, 27th May, 1678.

Right Honourable SIR,

MY laſt was of the 23*d* by the Ordinary; I have ſince the Favour of yours of the 17*th* Current, and in it a Copy of your Letter of the ſame Date to the *Hague*, which I can never ſufficiently acknowledge.

ON *Thurſday* the 23*d*, the Allies met at their uſual Hour, which is after the Ordinary of the Day is gone, and gave their ſeveral Anſwers upon the Reſolution that M. *de Haren* had communicated to them on *Tueſday* laſt.

THE Anſwer of the *Spaniards* was, that they referred themſelves to what *Don P. Ronquillo* ſhould ſay to M. *Beverning* upon that Subject; the Duke *de Villa Hermoſa* having appointed *Don Pedro* to meet M. *Beverning* at *Antwerp*, and to ſpeak his Thoughts to him, as he ſhould paſs towards the *French* Camp.

THE *Imperialiſts* anſwered, that as the Emperor entered not into the War upon any Deſign of making Conqueſts, but meerly to aſſiſt the States, and to preſerve the *Spaniſh Netherlands*, ſo he was willing to go out of it with the States, whenever they ſhould deſire it; only that the Conditions lately publiſhed by the *French*, looking too like a Law, and abitrarily impoſed upon the Parties, the *French* Ambaſſadors having ſaid they would not treat upon them, it was not for the Emperor their Maſter's Honour to receive them in that Manner; but that whenever the

the *French* Ambaſſadors ſhall be willing to enter into Debate of thoſe Conditions, as a Subject Matter to be treated upon, they, the *Imperialiſts*, will treat with them.

M. *Petcum*'s Anſwer was, that he referred himſelf to what M. *Heugh* ſhould ſay at the *Hague*, to whom he took for granted the ſame Reſolution of the States would be communicated, as to the other Miniſters of the Allies there; yet I find by what Mr. *Hyde* does me the Favour to write thence, there was no ſuch Communication; and the firſt News that he, and the Miniſters of the Allies had, of that *Whitſunday* Reſolution, was from this Place.

M. *Cannon*'s Anſwer was, that the Duke his Maſter would be glad of any Peace that would reſtore to him his Country; but that the Conditions offered by *France* are ſuch, that he knows not how his Maſter can accept of them with any Degree of Safety.

This is the beſt Account we have of the Anſwers of the ſeveral Allies to M. *de Haren*, only they had ſome further Reflexions (in Diſcourſe among themſelves) upon the Words that M. *de Haren* had delivered himſelf in, as not being over-clear.

For Inſtance; he offered to the Allies the Offices of the States his Maſters, for the *Modification* of the *French* Conditions; whence ſome would infer, that the States would not intereſt themſelves to have thoſe Conditions bettered, and to obtain a Peace that ſhould be more tolerable to each of the Allies, but would give their helping Hand only in the Phraſes and Forms. But M. *Haren* had not any Occaſion given him to explain himſelf, and ſay what he meant by the Word *Modification*.

Yesterday in the Afternoon, Meſſieurs *Colbert* and *d'Avaux* brought me the Letter and Memorial incloſed; they told me, they had receiv'd them by an Expreſs late laſt Night, and they contain'd the Terms in which the King their Maſter had explain'd himſelf to M. *Beverning*, touching the Ceſſation of Arms which he had deſired of him. That they deſired my Offices, as Mediator, to communicate them to the Allies; M. *Colbert* adding much of the Condeſcenſions of the Moſt Chriſtian King towards the States, out of the Love and Deſire he hath for the Peace.

I took the Papers from their Hands, and told them, I would uſe all Care and Diligence to tranſmit them to Court, that his Majeſty might pleaſe, upon my moſt humble Repreſentation, to order and direct what was to be my Part upon them; that till I had the Honour to know his Majeſty's Pleaſure for my Government, I did hope they would diſpenſe with me for the paſſing of any Offices of this Nature, excuſing myſelf that I had not been able, for the ſame Reaſon, to execute the Commands they had lately laid upon me; which was, to impart to the Allies the Offer that the Moſt Chriſtian King had made of a Truce, with an entire Liberty of Commerce till the laſt Day of *December* next.

M. *Colbert* replyed, he hoped his Majeſty had no Deſire to enter into the War, now all the Parties were ſo deſirous to get out of it, but that he would finiſh the good Work he had begun by his Mediation.

I told him, I doubted not but that all *Chriſtendom* would bear Witneſs to that Zeal his Majeſty had for a Publick Peace, and that nothing but an abſolute Neceſſity can engage him in the War; as he hath appeared ſufficiently by thoſe Offices and Endeavours he hath uſed, ever ſince he took the Mediation upon him, to give a General Peace, ſuch as ſhould be ſafe, honourable, and laſting, to all *Chriſtendom*.

M. *Colbert* reply'd, his Majeſty had ſuſtain'd the Figure of Mediator very much to his Glory, but that he had of late hearkened to that Part of

of his People (by their Repreſentatives) that were for a War. I told him, all the World ſaw who his Majeſty hearkened to; and that it was not the Senſe of Part of his People that he lean'd to, or would be guided by, but it was his whole Parliament, both Houſes together, that he would be adviſed by. To this his Anſwer was, that the Parliament would give his Majeſty ſome Supplies for the Subſiſtance of his Troops, at leaſtwiſe Meſſieurs *les Eſpagnols* gave it out it would be ſo; ſome of the leading Men of the Houſe of Commons, having promiſed that his Majeſty ſhould have a Supply: This I obſerve, that you may pleaſe to take Notice, that it is not out of Kindneſs to us that the *Spaniards* give out theſe Things, for they do not ſpare to load us with other *Effronteries*, as if it were our Backwardneſs in performing, and our Forwardneſs in promiſing, had been their Ruin; for they ſay, they would have made a good Peace for themſelves a long while ago, but that we promiſed to aſſiſt them with 30,000 Men by the middle of *April* in *Flanders*. I am, *&c.*

L. Jenkins.

Nimeguen, 27th May, 1678.

Right Honourable Sir,

I Troubled you with a Letter by the laſt Ordinary, which was the 23*d*; I have likewiſe ſent this Morning, by an Expreſs to the *Hague*, the Letter and Memorial that M. *Beverning* received from his Maſters at the *French* Camp: Since the finiſhing of this laſt Letter, I have the Favour of one from you of the 21*ſt*, and therein a Copy incloſed of your Letter to the *Hague* of the ſame Date, which I acknowledge with all Thanks poſſible.

That which I have now to add is, that M. *Cannon* was with me, by Order of the Duke his Maſter, deſiring it might be repreſented in all Humility to his Majeſty, that nothing can be more ruinous to that Duke, than a Peace upon thoſe Conditions that the *French* have Publiſhed. *Ma Maiſon ſera abys mée*, was the Expreſſion the Duke begun his Letter with to M. *Cannon*; it was further ſaid, that if the Duke was to part with his Dutchy of *Barr*, (as in the Treaty of the *Pyrenees* it was projected) he was to loſe 26 Towns, and about 600 *tant Bourgs que Villages*; beſides, he was to part with four of his moſt conſiderable Seigneuries, *Clermont*, *Stenay*, *Jametz*, and *Dun*, ſo much of Strength and Dependencies going away with thoſe Places, as would leave him quite naked. Yet the other Alternative was worſe; the loſing of his Capital City *Nancy* was not to be repaired in an Age; and the Cantoning of his Country by ſo many High-ways through it, would be the rendring of it, *plutôt des Seigneuries écartées les unes des autres; qu'un Eſtat ou Souveraineté telle que la Maiſon de* Lorraine *â toujours poſſedée.* That there was this peculiar to his Caſe, that no Treaty that ever the late Duke his Uncle made with *France*, was ever ſo diſadvantageous or diſhonourable as this is; yet there was ſtill ſome Hold and Pretext that *France* had to lay Hands on, and charge upon this Duke's Uncle; but there is not the leaſt Miſcarriage, Diſreſpect, or Colour, to be charged on this Duke.

That which he cloſed with (but not by way of Menace, he ſaid) was, that the Duke was a Prince, as of Birth, ſo of Merit; and in ſuch a Figure and Eſteem in the World, that it would be difficult to reduce him ſo low, as not to be able to ſhew a Reſentment; and that as he deſired to contain himſelf within all due Reſpect towards the Moſt Chriſtian

ſtian King, and to live in good Neighbourhood with him; ſo he did not underſtand that Princes were to be brought by their great Neighbours to thoſe Reſpects, and to a fair Correſpondency, *par des Coups de Baſtons.*

THIS Point he inſinuated very gentilely, and ſtill with great Reſpect to the Perſon of the Moſt Chriſtian King; but deſired withal, I would not forget to lay it before his Majeſty, as an Argument that might move his Royal Goodneſs to interpoſe vigorouſly for that Duke. It was but yeſterday that he received Orders to make this Application, and I promiſed him my moſt humble Repreſentations of theſe Particulars to his Majeſty. I remain, *&c.*

L. Jenkins.

Nimeguen, 30th May, 1678.

Right Honourable SIR,

I Troubled you on *Monday* the 27*th* twice, my firſt Letter was by an Expreſs I ſent to the *Hague*, and is thence paſs'd forward; the other by the Ordinary; in the firſt was the Moſt Chriſtian King's Letter, and his Memorial, from *Witteren*, of the 1*ſt* of *June*, *N. S.* to this State.

ON *Monday*, at 5 in the Evening, M. *Beverning* return'd hither from the *Hague*; next Day, when I would have taken an Hour of him, he ſent me Word, that his Time for moſt Part of that Day was taken up, ſo that he could aſſign me none; but that as ſoon as he ſhould be at Liberty, he would come to me; which happened to be at 5 in the Afternoon.

HAVING complain'd of the Fatigues of this Journey, he told me, that he had the good Luck to do what his Maſters had ſent him for; an *Armiſtice* they would have, and an *Armiſtice* he had got for them. Tho' he acknowledged he had had two long Conferences with the Moſt Chriſtian King on *Wedneſday* Morning, *May* 22*th*, (our Stile) and ſeveral Conferences with M. *Pompone*; yet he did not impart to me any Thing that had paſs'd, except in the Buſineſs of *Lorain*, and that he ſpoke as a great Secret, deſiring I would make ſome Uſe of it, by my humble Repreſentations to his Majeſty: He being of Opinion, his Majeſty may yet, if he pleaſe to interpoſe his Offices warmly in the Behalf of that Duke, obtain for him better Terms than thoſe which *France* hath hitherto inſiſted on. That he had in his firſt Audience repreſented to that King, how GOD Almighty made him the Arbitrator of all *Europe*; that he hath now the Peace and Repoſe of it in his own Hands, to give or refuſe it, as he pleaſeth. That it would be great Pity, that for a Town or two, and thoſe not without offering at the ſame Time ſome Compenſation for them, (as *Toul* was offered in lieu of *Nancy*, and *Dinant* was propoſed in Exchange for *Charlemont*) *Chriſtendom* ſhould be continued ſtill in this calamitous War. That there are ſeveral Declarations of the Miniſters of *France*, given in at *Ratisbone*, and otherwhere, whereby they declare, in the King their Maſter's Name, that he intended not to keep a Foot of *Lorain* from the then Duke; and if ſo, that a Nephew ſo innocent, was not to be puniſhed for the Tranſgreſſions of an Uncle that had been obnoxious. To that the Moſt Chriſtian King reply'd, this Duke is a Prince, from whom he cannot promiſe to himſelf any good Neighbourhood; but M. *Beverning* thought he began to hearken to his Reaſonings, and was inclined to ſome ſuch Temperament as would have rendred the Duke's State more tolerable; but M. *Beverning* (having no Inſtructions from his Maſters to ſpeak for any of the Allies) would not, he ſaid, adventure too far.

At the ſecond Audience, when he touched upon *Lorain*, he found there was no meddling with it; but he is perſwaded that the King our Maſter may procure *Nancy* to remain to the Duke, ſome Part of it being firſt demoliſhed.

He uſed other Arguments in his firſt Audience; as that the Emperor, tho' he be not over-much inclined to a Peace, yet would give into it, (that is, the Duke of *Lorain* would prevail with him ſo far) if he ſaw that the Duke his Brother-in-law had any tolerable Quarter by this Peace. That *France* doubtleſs did pretend, and expect to have *Sweden* entirely reſtored; but as it was hard to perſwade the *Northern* Allies to give up what they have conquered, ſo the not reſtoring of *Lorain* would give the Emperor and them a fair Occaſion to hold together.

He told me, the Moſt Chriſtian King expected his coming to him with great Impatience, and that he was diſpoſing his Army for ſome Action. That he ſhewed him, M. *Beverning*, what a fair Proſpect he had of Succeſs, in any Thing he ſhould undertake; knowing, he ſaid, the State of the *Holland* Army in *Flanders*, and how Things ſtood in *England*; and being then adviſed, that the *Oſnaburg* Troops had refuſed to march, and were gone back, notwithſtanding the Duke *de Villa Hermoſa* had promiſed to pay them off.

The only Thing that he told me that paſs'd between M. *Pompone* and him was, to deſire him not to ſet Things too hard upon him and his Maſters, as they did in the Letter from *Deinſe*, without any Occaſion given on their Parts; yet, ſaid he, M. *Pompone* is pleas'd, in the Recredentials, to take it for granted, that we in *Holland* take the *French* Conditions, even in what regards our Allies, to be *Equitables*; whereas we have always declared the contrary; and ſaid, that tho' we were ready to accept what was offered us for our own Parts, yet that we look'd upon the Conditions offered our Allies, as having in them nothing at all of Juſtice or Equity; and he was ſo ingenuous, as to confeſs the Words, *capables d'affirmer pour toujours vôtre Liberté*, had a Sting in them that was obvious enough to ſee.

This is all I had from M. *Beverning* of his Embaſſy, he telling me he had nothing to ask of me by way of Office upon this Incident, knowing (as he was pleaſed to take Notice) I did not meddle in thoſe Things that are now brought *Sur le Tapis*: His Applications would be to the Allies, and he was ſure the *Spaniſh* Ambaſſadors would do what the States would have them. He told me, there was a Preſent of 15,000 Livres offered him, but that he had excuſed himſelf from receiving it, as he hath before done in 8 or 9 Embaſſies he hath gone through.

I have watch'd till juſt now that the Poſt is going, to ſee if I could learn any Thing of the Account that M. *Beverning* hath given of his Negotiation in the *French* Camp: M. *Heugh*, who came Home laſt Night, told me, he had given none to any of the Allies; yet I find he and his Collegue had already been with the *Imperial* Embaſſy, and M. *Balbaſes*, *Blaſpiel*, and *Cannon*, have been, tho' ſeverally, with him, ſince his coming Home. M. *Heugh* expected the like Participation to be given here, as was given to the Miniſters of the Allies at the *Hague*, of what M. *Beverning* had negotiated; and therefore thinks there is ſomething more than ordinary in it; for that M. *Beverning* is not like to be at the Aſſembly of the Allies at 5 this Evening, it being given out that he is indiſpoſed.

M. *Cannon* is juſt now gone from me, and ſays plainly, the Duke his Maſter can never frame himſelf to the *French* Conditions as they now lie; and indeed, he ſhewed me two Letters that he is charged to carry

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and deliver, one to his Highneſs the Prince of *Orange*, the other to the States, wherein he deſires their Offices, and repreſents to them, that either of the Alternatives will be his Ruin, or as he expreſſes it, *l'aneantiſſement de ſa Maiſon*, and M. *Cannon* ſays expreſly, as from the Duke his Maſter, that he will abandon his Eſtates, and loſe them wholly, rather than come to them upon either of thoſe Alternatives.

M. *Cannon*'s Buſineſs with me, was to deſire it might be laid before his Majeſty, that notwithſtanding the Duke his Maſter will never frame himſelf to the *French* Conditions, as they now are, yet he will yield to any Thing his Majeſty ſhall think reaſonable; and it his own Thought, (ſaying, he hath no Order at all from his Maſter to mention any ſuch Thing) that it will be a Temperament his Maſter may be poſſibly brought to, that the City of *Nancy* ſhould remain for ſome Time *en depôt* in his Majeſty's Hands, to be garriſon'd by an *Engliſh* Garriſon, for part with it he cannot; the Iniquity of that Alteration being moſt viſible, in that it is made parallel with the Conditions intended to be impoſed upon his Uncle at the *Pyrences:* But that which ſeemed to me extreamly material in the Diſcourſe I had with him now is, that he takes it for granted, that the *Spaniards* will come to an Exchange with *France*, for what is remaining to them in the *Low-Countries*; his Intimacy with them, and the *Imperialiſts*, makes me think, he cannot but penetrate their Thoughts and Deſigns in that Point. He ſays, it will be their abſolute Ruin in *Lorain*; for the *Spaniſh Netherlands* on the one Side, and the *Franche Comte* on the other, does ſo lock them up, that they ſhall be in the Heart of *France*. He ſays, the *Imperialiſts* give into this Opinion, that *Spain* will part with all their Intereſts on this Side; and that the *French* King has declared, he will not ſuffer any Thing to be fortified more than now it is, in that which is to remain to the *Spaniards* in the *Netherlands*. I remain, *&c.*

L. Jenkins.

Nimeguen, 3d June, 1678.

Right Honourable Sir,

My laſt was of the *30th* paſt, which was accompanied with two Scripts, which I had not Time to inſert into the publick Letter; ſince, I have not the Favour of any from you.

It was the Expectation that Afternoon, as ſoon as the Poſt was gone, that M. *Beverning* ſhould have entertained the Allies at their Aſſembly with his Negotiation in the *French* Camp, but he himſelf came not to them, being indiſpoſed; nor did M. *Haren*, who was preſent, ſpeak one Word of that or any Thing elſe; and it was obſerved, that M. *de los Balbaſes* and *de Fuente* (who uſed to be conſtant in thoſe Aſſemblies) were not there that Day.

The Allies had met the Day before at M. *de Gurck*'s, in Order to prepare and adjuſt ſomething by Way of Reply, to any Thing that the *Dutch* Ambaſſadors ſhould ſay, touching the Moſt Chriſtian King's Memorial, given M. *Beverning* at *Wetteren*; they intended it ſhould have been a Memorial of all the Allies in common, but the *Spaniards* not giving into their Senſe in any Degree, they reſolved to give in Memorials, each Ambaſſador for himſelf; there is not yet any come to my Hands, ſave that of M. *Blaſpiel*'s, which goes herewith encloſed.

By it you will find, that the Elector of *Brandenburgh* aſſures himſelf, the States will promiſe nothing to the Moſt Chriſtian King, which

ſhall be contrary to their Alliance with him, a Prince who hath not ſpared his Eſtates, nor his Blood, to ſave their Republick from ſinking. That they, the States, having had a Month's Time to give in their Anſwer to the Duke *de Lunenburgh*, he the Elector hopes they will not anticipate that Time, but give him a convenient Time to deliberate of this Affair, and to give his Orders thereupon to his Miniſters here, and elſewhere. That the Elector takes it for a Thing out of doubt, they, the States, will never treat, much leſs conclude, with *France*, before they have procured to him, the Satisfaction he is promiſed by the 14*th* and 24*th* Act of their Alliance; and that they will reſerve to themſelves the ſame Faculty in Regard of their Allies, that the Moſt Chriſtian King pretends to reſerve, in Regard of his Allies. That the Elector having entred into this War, for no other End, but to ſave the *Low-Countries*, and preſerve his own Eſtates; and having never deſired any Thing, but ſuch a Peace as would be *reaſonable and ſure*; the good Offices in Order thereto will always have good liking, and even in treating the Condition of the Peace, he will ſhew his Moderation and Regard to the Reaſons and Neceſſities that are alledg'd, in Behalf of the States for a preſent Peace, provided always he may attain his, which is no other than the ſecuring of the publick, and of his own Eſtates.

HAVING writ thus far, I have, by the Care of Mr. *Chudleigh*, the ſeveral Memorials of the *Imperialiſts*, and of M. *Heugh* to encloſe; they ſeem to be Pieces of a more elaborate Dreſs; but they ſpeak a Jealouſie as well as M. *Blaſpiel*'s, that the *Dutch* will precipitate their Anſwer to the *French*, even faſter than they need, which I find is a common Opinion here; they conjure them to be conſtant and true to their Treaties, or rather take it for granted they will be ſo; they lay before them the Merit and the Generoſity of the Succours which the Allies gave them in their Diſtreſs, as well as the Expence of Blood and Treaſure in the War; they profeſs not only, not to have any Averſeneſs for a Peace, but to be ready to treat it, and that they will have a ſpecial Regard to the Reaſons, that incline the States to deſire it ſo much at this Time. But the *French* Conditions, ſince the Manner of offering them makes them look more like Laws, than Propoſitions to be treated on, they (the *Imperialiſts* eſpecially) cannot think it to conſiſt with the Dignity of their Maſter to hearken to them.

THE *Imperialiſts* delivered in theſe Memorials to the *Dutch* Ambaſſadors on *Saturday*, the *Dane* and the *Brandenburgher* yeſterday; M. *Beverning* continues ſtill indiſpoſed, and it is a Matter of general Wonder, why the *Dutch* Ambaſſadors have not all this while communicated with the Allies upon M. *Beverning*'s Negotiation; and ſome will have it, that they wait for the Reſolution of the States of *Holland*, who are to meet to Morrow, before they will make any further Step.

M. *Heugh* was very generous in his Expreſſions to me, touching the Embarraſs I have with M. *de Fuente*; he ſaid, the *French* might get the better of them, the *Danes*, in other Things, but ſhould never in Matter of Reſpect to his Majeſty; therefore that he would no more ſee M. *de Fuente*, than the *French* Ambaſſadors had done, unleſs the King his Maſter ſhould command him.

M. *Beverning* and *Haren* made their Viſit of Ceremony on *Tueſday* laſt to M. *de Fuente*, and M. *Blaſpiel* on *Wedneſday*; they, it ſeems, looking upon the Queſtion as lying between the Ambaſſadors of Crown'd Heads only and the *Imperialiſts*, wherein the States and Electors have nothing to do; this was M. *Heugh*'s Opinion. I am, *&c.*

L. Jenkins.

Nime-

Nimeguen, 6th June, 1678.

Right Honourable SIR,

MY laſt was of the 3*d* Current, by one of my People that went Expreſs; I have now the Favour of two from you, the one of the 28*th*, the other of the 31*ſt* paſt, to acknowledge; for both which, I moſt humbly thank you. I perceive, by the Favour of theſe and former Letters, that his Majeſty is pleaſed to take notice, that I cannot but Want his Inſtructions to direct me in the Incidents that ariſe here every Day, but thinks fit to defer the giving me Orders for the preſent, and leaves it to me to do as well as I may: All I can ſay is, that I ſubmit, with the Reſignation I ought, to his Majeſty's Pleaſure, and ſhall go in every Thing the neareſt I can to what I ſhall conceive to be his Majeſty's true meaning and my Duty: Beſeeching Almighty GOD to direct and ſupport him in thoſe many weighty Concerns that now lie before him.

ON *Monday*, M. *Beverning* having ſent to deſire to ſpeak with me, (for he keeps his Chamber ſtill) and having had an Account of me (for that was what he deſired) of the Difficulty that lay upon M. *de la Fuente* about his Powers of Ambaſſador; M. *de Haren* came to me next Morning to tell me, that upon Conference with the *Spaniſh* Ambaſſadors, they had found the State of the Caſe to be exactly as I had repreſented it, and had prevailed with them to ſuppreſs the new *Plenipouvoir* dated in *March* laſt, wherein M. *de Fuente* is joyn'd with the other three, to the End, that the firſt *Plenipouvoir* that is already exchanged may ſubſiſt entire, and to ſend into *Spain* for a ſpecial *Plenipouvoir* to this new Adjunct; taking it for granted, I would do them the Courteſy to draw up the Form, and preſent it to the *French* and *Swediſh* Ambaſſadors, that afterwards they may ſend it into *Spain*, to paſs the Hand of that King. I told M. *de Haren*, I would readily do it, if I might be inſtructed, either by him, M. *Balbaſes*, or M. *Chriſtine*, for M. *de la Fuente*, by Reaſon of what had happened, (I did ſuppoſe) would eaſily excuſe me.

UPON this Occaſion, M. *de Haren* deſired I would enter into ſome Temperament upon the Embarraſs between M. *de Fuente* and me; the *Spaniards* being willing, he ſaid, to come to any Accommodation, excepting ſuch as ſhall make a Breach between them and the *Imperialiſts*, for that an *Eclairciſſement*, ſuch as *Don P. Ronquillo* had given me, would unavoidably cauſe it.

I told him, I thought it was now too late to talk of a Temperament, ſeeing M. *de la Fuente* had made thoſe Steps, ſince by the Viſits that paſs'd between him and them, the *Dutch*, and *Brandenburgher*, that I knew not how the Ambaſſadors of *France*, *Sweden*, and *Denmark*, who are unſatisfied as well as my ſelf, can, as Miniſters of Crown'd Heads, now enter into Viſits with him: Beſides that, I had given his Majeſty an Account of what had paſſed, and he was graciouſly pleaſed not to diſapprove of what I had done: Obſerving to him withal, that I did not underſtand how M. *de la Fuente* could be reckon'd as an Ambaſſador here, if the *Plenipouvoir* he brought muſt be ſuppreſſed, and a new one muſt be had from *Spain*, the Form whereof is not yet agreed on, nor ſo much as drawn up.

M. *de los Balbaſes* profeſſeth, as M. *de Haren* told me, he hath a great Concern to bring M. *de Fuente* into Buſineſs, and that he be qualified to treat, conclude, and ſign; for that he, M. *de los Balbaſes*, would ſcarce

ſcarce dare to ſign ſuch a Peace as this is like to be, but in Conjunction with an Ambaſſador that is a *Spaniard* born.

THIS Embarraſs of firſt Viſits, is unfortunately fallen out between M. *d'Odyike* likewiſe and me; for he coming to Town on *Sunday* Night, was reſolved to call upon me on *Monday*, without ſending me any previous Notice or Complement, and to go to others as his Occaſion ſhould lead him, and conſequently to enter into Buſineſs without making any Viſit of Ceremony at all. M. *Heugh* gave me notice of this on *Saturday*, telling me very plainly, that I having refuſed this very Temperament, or any other, with Count *Antoine*, it would not be fair towards the King his Maſter, if I admitted it with M. *d'Odyike*, and that he had told him ſo at the *Hague*.

THIS obliged me to write a Letter on *Monday* Morning to M. *d'Odyike*, and deſired Mr. *Chudleigh* to carry it, and repreſent to him (as he did at large) the Reaſons why I could not do my ſelf the Honour of ſeeing him, unleſs I were notified in the firſt Place, and in the Forms; I acquainted M. *Beverning* with the ſame Thing, and with my Reaſons; but this I fear is not well taken by M. *d'Odyike*, to whom otherwiſe I have very particular and great Obligations. He was on *Monday* at the Aſſembly of the Allies, and yeſterday went back for the *Hague*.

IN my laſt, I ſent you three Memorials, that the *Imperialiſts*, the *Dane*, and the *Brandenburgher*, had drawn up, in Reference to M. *Beverning*'s Negotiation in the *French* Camp. Yeſterday M. *Heugh*, and after him M. *Stradtſman*, brought me Copies of theirs, and M. *Blaſpiel* ſent me his by his Secretary, all of them with this Complement, that they did it, to the End I might be informed of what they do, and be able to give his Majeſty an Account of the Steps that are made here by the Allies.

M. *Heugh*, in his Viſit, complained very much, that the *Dutch* did now behave themſelves as Mediators, and took that Buſineſs out of his Majeſty's Hands, where the King his Maſter, and the other Allies, had entruſted it, in Hopes of having a Peace that would be in ſome Meaſure reaſonable and ſure, from his Majeſty's Equity and Authority. That M. *de Haren* having offered them, the Allies, the *Offices* of the States his Maſters, the *Imperialiſts* had, in their Memorial, accepted of them downright; that he, M. *Heugh*, avoided going ſo far, ſaying indeed, the King of *Denmark* would be ready to hearken to the *Advice* and *Counſel* of the States, but not a Word of their *Offices*; that M. *Blaſpiel* had gone a middle Way, ſaying in the general, all good *Offices* would be welcome with the Elector, but not ſpecifying thoſe of the States, as they were offered.

ANOTHER Thing he complain'd of, that there are Endeavours uſed to draw the whole Negotiation hence to the *Hague*, and that the *Spaniards* are aiding all they can to remove it thither; this he conceives may be one Reaſon, why M. *Beverning* hath given no Account of his Negotiation here; and yet the Deputies of the States have done it ſolemnly to the Miniſters of the Allies at the *Hague*. That tho' the *Spaniards* have ſurrendred themſelves to the *French* Conditions, in the Manner and Form they are preſcribed, and to the Management of the *Dutch*, as to all the other Circumſtances of the Peace; it is poſſible the reſt of the Allies may not be ſo low ſpirited, to be ſure the King of *Denmark* is not ſo; he will, rather than ſubmit to the *French* Way of preſcribing, *hazarder le tout*, *pour le tout*; and loſe not only what he hath got, but what he had before with Honour, rather than keep them

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on ſuch Terms. Thus M. *Heugh*; yet not without mingling ſome Reflexions, upon Preparations that are (it ſeems) a making at M. *de los Balbaſes*, of new Liveries, which are, he ſaid, to be prodigiouſly rich, againſt the ſigning of a Peace, that is to be the moſt miſerably poor that ever was.

M. *Stradtſman*, in his Viſit, was pleaſed to run over ſeveral other Matters; as,

That it would be an infallible Means to cloſe up our Miſunderſtandings in *England*, and to take out all Jealouſie by the Root, for his Majeſty to enter into the War againſt *France*. That notwithſtanding *Holland* and *Spain* left the Party, yet his Majeſty's Forces would be ſufficient to fill up that Gap, tho' he ſhould not furniſh near the Proportion of the *Holland* Troops; for that the Allies would be ſure to have an Army of 30,000 Men upon the *Meuſe*, which, together with the Army in *Germany*, would oblige *France* to divide its Forces now more than ever, eſpecially if *England* ſhould attempt any Thing from Sea upon the *French* Coaſts.

As he ſaid nothing but what was very problematical on theſe two Points, ſo it was the eaſier for me to argue in, for that Part which I take to be ours in the preſent Conjunctures; he wiſh'd I had had Orders to enter into Negotiation with him and his Collegues; he would make it, he ſaid, appear to me, 1*ſt*, That the Army of 30,000 Men upon the *Meuſe*, would be got up and ready in ten Days Time. 2*dly*, That the Princes and Eſtates of the Empire would ſtick firmer than ever to the Emperor. 3*dly*, That the *Northern* Allies would act with more Vigour than ever, if *England* would but once declare; ſo that, as far as I can perceive, all reſolves into this, that if *England* do declare, then the Emperor, upon the Strength of its joining with him and the *Northern* Allies, will probably go on in the War this Summer; if not, he will give into the Peace.

'Tis pretty apparent that the Emperor hath no Mind to the Peace as 'tis offered, and that the Manner of preſcribing it, is the hardeſt of all to be digeſted; but that the Impoſſibility of ſaving *Flanders*, the Separation of *Holland*, the uſual Diviſions in the Empire when Things go ill, and the dangerous State of *Hungary*, will bring him to it.

M. *Stradtſman* ſays, there have been Conditions offered the Emperor in order to ſeparate him from his Allies, and the Offer was by the Cardinal *d'Eſtrée*, being at the Court of *Bavaria*. He told me, he and his Collegues would probably, upon the Return of the Courier they ſent for *Vienna* on *Monday* was ſevennight, have Orders to come to me, and to enquire of me, and in a Manner (as I underſtood him) to ſummon me, in order to know what his Majeſty will reſolve to do for the Emperor, to procure for him a tolerable Peace. I let him ſee how unlikely it was I ſhould be able to give them any Anſwer, my Buſineſs here being no other but to go between the Parties, and to paſs Offices upon what they ask one of another; it being extreamly improbable his Majeſty would deſcend to open himſelf to me, upon a Queſtion that cannot properly be put to him from hence, ſince the Emperor hath a Miniſter that is now reſiding at Court: However, if they ſhould give themſelves the Trouble of putting any Thing of that kind to me, I would be ſure to make a faithful Report of it, with all due Humility, to his Majeſty. I am, *&c.*

L. Jenkins.

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Nimeguen, 7th June, 1678.

Right Honourable Sir,

JUST now came to me the two *Dutch* Ambaſſadors, and having told me, they had receiv'd an Expreſs from the States their Maſters, with Orders to enquire and know of the *French* Ambaſſadors, whether they were impowered to conclude a Treaty of Peace with them, the *Dutch*; and having been anſwered, they were ſo, they had ſince adjuſted with them, the *French* Ambaſſadors, not only all Matters, but the very Articles and Words of a Treaty, as to what relates, 1. To the Commerce. 2. To the Principality of *Orange*, not without the Knowledge of his Highneſs the Prince firſt had. 3. To the Rendition of *Maeſtricht*. 4. To the General Articles uſual in a Peace. 5. To the Preface intended for this Treaty; which Preface they thought themſelves obliged, they ſaid, to communicate to me; the Copy whereof goes herewith incloſed.

In Regard there was Mention made in it at large of his Majeſty and his Mediation, their Deſire to me was, that I would conſider of this Preface, and ſee if I had any Thing to object to it; and that if I had, they did deſire to hear from me ſome Time to Morrow in the Forenoon, that they might advertiſe the States their Maſters thereof; they were willing to give me ſo much Time, and therefore the Preface was not ſo much as read in our Converſation; the Anſwer (now after once reading of it) that I intend to give them will be, that I ſhall not preſume to give any Thoughts of my own, eſpecially being here all alone, upon a Writing of this Importance, that is intended to be tranſmitted to all Poſterity: I ſhall tell them, I have already ſent it, (as I now do) in order to obtain the Honour of knowing his Majeſty's Pleaſure upon it; this is all I ſhall anſwer. I took Notice to them, that his Majeſty will doubtleſs expect from me ſome Account, and in all Reaſon, a Copy of the whole Treaty, as well as of the Preface; they told me, I ſhould have a Copy of it as ſoon as it can be writ out. I thought this Preface well worth the ſending away in all Diligence, intending that the Treaty itſelf ſhall follow as ſoon as I have it.

That which they told me moreover was, that the States are reſolved to conclude their Treaty, at or before the laſt Day of this Month, *N. S.* and that the *Spaniards* are reſolved to do as the States do. If this be done, they think there will be great Inconveniencies avoided, that of entering into a Neutrality with the Allies of *France* eſpecially; beſides that, being in Peace, they will be able to do ſomewhat for their Allies; they mean, I doubt not, by way of Mediation.

I asked them, what they would do for us in *England*; whether they intended to leave us in the lurch? They anſwered me, they would make good their laſt perpetual League, and will even make a ſtricter one with us. This gave me Occaſion to ſpeak freely to them, that I wiſhed they would obſerve this laſt League better than they did that in *January*; but they throw back all Failings upon us: They had not yet communicated this Reſolution of the States to the *Imperialiſts*, *Dane*, or *Brandenburgher*, but they will do it, they ſay, to Morrow; and, if I miſtake them not, they will, whatſoever Anſwers thoſe Allies have from their Courts, go out of the War before this Month be ended: They would have intreated me to perſwade the Allies to give in to this Peace, at the ſame Time with them, the *Spaniards* and *Dutch*, but I excuſed my ſelf abſolutely from entering upon any ſuch Office. I know

I know not whether his Majeſty will think fit to give his Reflexions and Pleaſure upon this Preface, before the End of the Month, *N. S.* that is, before the *French* and the *Dutch* do ſign their Treaty; here are now but 12 or 13 Days to do it in; the Word *Devoirs* is not uſed, that I know of, in ſuch a Senſe towards a great King; where they have met with the Stile of *Tres-illuſtre*, which they give not only to his Majeſty, but to the Moſt Chriſtian King, I have not yet Time to enquire; but I ſhall, as thus adviſed, give no Opinion or Reflexion one way or other, till I have the Honour to receive his Majeſty's Pleaſure. I am, *&c.*

L. Jenkins.

POSTSCRIPT.

I deſire it may be obſerved, that if his Majeſty ſhould pleaſe to command me any Thing here, I am without a Commiſſion, the *Quorum* being two; and Copies of our Commiſſion being long ſince given.

Nimeguen, 8th June, 1678.

Right Honourable SIR,

IF I told you laſt Night in my Letter, that the Article touching his Highneſs the Prince of *Orange* was adjuſted, it was a Miſtake; the *Dutch* Ambaſſadors tell me juſt now, 'tis only given in to the *French* Ambaſſadors here, and they give good Hopes it will be admitted; if ſeparately, and with a relative Article, as they intend it, then ſo much the more Honour.

THE *Dutch* Ambaſſadors have had a Conference this Afternoon with the Allies, and have puſh'd them to Purpoſe, yet the *Imperialiſts* have got Time of them till *Tueſday* to anſwer.

MY Anſwer upon the Preface was, to thank them, and to obſerve to them, that, according to the Tenor of it, (if I underſtood it rightly) his Majeſty's Miniſters here are to ſign the Treaty: M. *Beverning* told me, the Thing had been done in Haſt, but it was intended according to the *Munſter* Precedent, and that there the Mediators had not ſigned: I told him, it was true the Pope would not meddle in that Treaty, becauſe he damn'd the Alienations of Church Revenues in it, and partly becauſe the *Swede* was *Lutheran*; the Pope thus not meddling, *Venice* would not; partly out of Deference to him, and partly for that the Guaranty was tickliſh, the Peace being not general, for *Spain* ſtood out. But, under M. *Beverning*'s Favour, this Preface is in a Manner Word for Word the ſame with the Preface to the *Breda*, not *Munſter* Treaties, and there the *Swedes* ſigned; and I was ſure it was not fit for me to ſign without his Majeſty's Knowledge or Orders; but I told them I had, as ſoon as they were gone laſt Night, ſent away the Preface by an Expreſs; and that I hoped I might have his Majeſty's Orders upon it before the 20*th* Current, *O. S.* I think I told you in a *Poſtſcript* laſt Night, that we muſt be a *Quorum* here of two at the leaſt, and that our Commiſſion muſt be inſerted into the Treaty; they have Copies of it already; in the Treaty of *Breda*, the King of *Sweden* and his Eſtates are taken in and compriſed by expreſs Article. In the Project which I ſent you a good while ago of the *Dutch* Treaty with *France*, (I do not mean that of the Commerce) it is not ſo; and this they intend to give me now, and to paſs with the *French*, is the ſame, they ſay, Word for Word. The Word *Tres-illuſtre* they have, I think, out of the *Aitzema*'s Tranſlation

of the *Breda* Preface, where he uſes *Doorluchtichſten*; they deſired my Remarks upon any Thing I ſhould deſire to be changed in the Preface: I told him, it would then be Time enough to offer them, when I were inſtructed what Part or Intereſt his Majeſty would pleaſe to have in the Treaty itſelf: I think the little Inverſion or Diſguiſe that M. *Beverning* made in this from the *Breda* Preface, in naming the Miniſters of the Parties firſt, and then thoſe of the Mediators, is not worth the taking Notice of: But certainly, if his Majeſty ſhould enter as a Mediator into the Treaty, the expreſs Article for taking him in, will be indiſpenſably neceſſary; the *Dutch* Ambaſſadors were at me again, to perſwade the *Imperialiſts* to come into this Peace. M. *Colbert* told the *Dutch*, they will come in, he is confident of it, as well as the other Parties; the *Dutch* told them, the *Imperialiſts*, the States are reſolved not to go into this 6 Weeks Ceſſation, to have their Hands tied up; but to put an End to their own Affairs, and thereby to be in a Condition to do for their Allies all they can; I ſuppoſe they mean by taking upon themſelves to mediate between them and the *French*. I dare not preſume to deſire your Orders upon this Preface, I leave it wholly to your own Time; only you ſee what the Thing is in its Nature, and I ſhall be ſummoned to ſign before the End of the Month, tho' they are not yet aware of the *Quorum*. I remain, *&c.*

L. Jenkins.

Nimeguen, 10*th June*, 1678.

Right Honourable Sir,

SINCE my laſt of *Thurſday* the *6th* Current by the Ordinary, I troubled you with a Letter on *Friday*, and another on *Saturday*, by the Conveyance of Mr. *Hyde*, if it overtook him at the *Hague*; but for Fear it ſhould not, I ſend the Duplicate of it herewith incloſed. I have ſince received the Honour of yours of the 4*th*, whereby I perceive it is his Majeſty's Pleaſure, ſtill to leave me to do as well as I can of myſelf: I ſhould reſign myſelf abſolutely to his Majeſty's Pleaſure in this, and in all Things elſe, tho' I ſaw no Reaſon for it; but as Things ſtand, the Reaſons ſeem to me to be ſo viſible, that (be the Conſequence hereafter what it will) it becomes me at this Time to acquieſce in them.

I hope I was well founded, when I made it out to the *Dutch* Ambaſſadors, that their Preface imply'd I was to ſign their Treaty, for ſo did the *Swediſh* Mediators at *Breda*, and you will find this Preface and that to be the very ſame; the laſt Reſolution of the States, I am now told, was not poſitive, that they would finiſh their Treaty before this Month was out, *N. S.* but it was, that their Ambaſſadors here ſhould preſs the Allies all that was poſſible, and have their final Anſwer, whether they would go out of the War with them at the ſame Time or not; if they did, they would be able mutually to warrant the Peace; which could not be, if the *Dutch* made up theirs firſt, and left their Allies in the War.

The States, when they meet on *Wedneſday* next, will come to a final Reſolution what Day their Treaty with *France* ſhall be ſigned; and 'tis in that View that the *Dutch* have preſs'd for the Anſwer of the *Imperialiſts* by to Morrow Morning, that it may be with the States on *Wedneſday*, before they come to their Reſolution.

M. *Ducker* tells me of a Buſtle M. *Schwerin* has lately made on that Side, as if the Elector was like to continue in the War, whatever others did;

did; but ſome of the Allies here do look upon his late ſlack Preparations, as a ſtrong Argument of the contrary; it was *Friday* laſt, as it was thought, that the *Dutch* came to a final Adjuſtment with the *French* Ambaſſadors, and that then was firſt delivered the Article for the Prince of *Orange* to the *French*.

I muſt not forget to tell you, that the *Dutch* Ambaſſadors had Recourſe to the *French*, in order to know, by their Means, what M. *Oxenſtiern* was reſolved to do as to the Peace; we having delivered him and his Collegue the Project of a Treaty above a twelvemonth ago, and they having not returned the *Dutch* any Manner of Anſwer upon it: The Anſwer, as I am told, that M. *Oxenſtiern* gave them yeſterday by the *French* was, that he was ready to conclude and ſign that Project with the *Dutch*.

Tho' I was with M. *Oxenſtiern* laſt Night, he told me not a Word of this, or of the Negotiation now on Foot; only took Occaſion by the by to tell me, there was an Imputation laid upon him, and was managed with much Induſtry in the Court of *England*; it was, that he had declared here, that the King his Maſter could not accept of the 6 Weeks *Armiſtice* that *France* had propoſed; whereas he never made ſuch a Declaration; but, on the contrary, had upon ſeveral Occaſions ſaid, he believed the King of *Sweden* would give into it, there being, he ſaid, much Reaſon for *Sweden* to bring all Manner of Facility to what the Moſt Chriſtian King ſhould deſire or propoſe, in Regard he keeps ſo cloſe to his Engagements to *Sweden* at this Time; this he deſired me to inſinuate, when I ſhould write to Court, that he may not ſuffer by what his Adverſaries report of him.

I ſend you herewith Copies of the Treaty, as 'tis agreed between the *Dutch* and the *French*, and of the Article relating to the Prince of *Orange*. The Treaty is the ſame in a Manner that I have ſent you already; only there is one Article added, that in caſe of a Rupture again, there ſhall be 9 Months Time to withdraw their Effects and Eſtates of one Side and the other; another Article there is, for taking in ſuch as ſhall deſire to be comprized.

But that which I deſire your Reflexion upon is, that in the Project I ſent you a while ſince, there was a Line or two intended to introduce the Treaty of Commerce, as if the whole had been intended to be inſerted, and that of Commerce, with this of the Peace, to make but one Body of a Treaty; but in this Project I now ſend you, there is no ſuch Introduction: This I took Occaſion to obſerve to the *Dutch* Ambaſſadors, but they were pleaſed to give no Anſwer to that Remark, nor to offer me any Copy of their Treaty of Commerce, as they have now agreed it; which makes me think it will be a Body of Articles apart, and in that of 62, the twelve firſt you know was a defenſive Alliance.

I was in Hopes to add ſomewhat to this Day's Diſpatch out of the Reſolution of the Allies, that an Aſſembly this Forenoon, an Hour unknown and unuſed, they ſat from 10 to almoſt 1. I was at M. *Chriſtine*'s ſince the Aſſembly was up, and ask'd him what was done there that was communicable without Doors; he told me, all of them expreſs'd themſelves ſo, *que tout va a la Paix*; but before he explained himſelf in what had been ſaid, he entered into a paſſionate Repreſentation of the ill Condition of the *Spaniards*; he ſaid, 'twas impoſſible ſuch a Way of Proceeding, as that of the *French* is, ſhould have any Tendency to a Peace that is to be laſting; his King, and all other Princes, muſt have a Reſentment of ſuch intolerable Dealings. The demanding of *Dinant*, ſaid he, is an impoſſible Thing to be complied with, and therefore an

Argument the *French* did put them upon Things that were impracticable, that they might have ſome Colour to refuſe them the Peace; *Charlemont*, he ſaid, they cannot part with, 'tis the only Cover they have for *Namur*; two Chaſtellanies they have, and will have all that belongs to *Mons* and St. *Ghillain* demoliſhed, that there may be nothing to cover *Mons*; and 'tis for that Reaſon, they would have the Verge of *Menings* that belongs to *Courtray*; for there is ſome little Place there, that would hinder them (if the *Spaniards* had it) to put their Cannon upon the *Lis*, and to bring it in one Night to the Gates of *Courtray*.

Another Account is this; that the Allies being to give the *Dutch* Ambaſſadors an Anſwer, whether they would come into the Peace or not, before the 1*ſt* of *July* next, *N. S.* the Allies (I ſuppoſe the *Spaniards* excepted) gave their Anſwer in Writing. M. *Heugh*'s was, that the Time was too ſhort; that he hoped, tho' the *Dutch* ſhould make their Peace, yet they would have all the Regard poſſible to their Engagements with their Confederates. M. *Cannon* was there, and ſtill preach'd the abſolute Ruin of his Maſter, and that by ſuch Meaſures, he is to be no more Duke of *Lorain*.

My little Intelligencer comes and tells me, that the Moſt Chriſtian King will not enter into the ſix Weeks Ceſſation, but will puſh on the War, being ſure of *Mons*, and ten or eleven Thouſand Priſoners of War; that by the Anſwers from hence, the States will come to their final Reſolution on *Wedneſday* next, and will ſend on *Thurſday* their final Anſwer, either to M. *de Luxemburgh* at the *French* Camp, or both. I am, *&c.*

L. Jenkins.

Nimeguen, 13th June, 1678.

Right Honourable Sir,

Since my laſt, which was of the 10*th*, we have no Letters out of *England*. I gave you in a Kind of a *Poſtſcript*, I made a Shift to write to that Letter (the Duplicate whereof goes herewith) the Account I had then got of what had paſs'd in the Conference of that Day, between the Allies and the *Dutch* Ambaſſadors.

The Papers which I take leave herewith to encloſe, will be a more diſtinct Account of what the Allies then ſpoke; 'tis true, they were not given in as Memorials to the *Dutch* Ambaſſadors, but they are communicated from one Ally to another, as Extracts of what they had then ſaid; and of what had entered afterwards into their Protocols. You will find the *Imperialiſts* do lay hold of the Offer the *Dutch* Ambaſſadors had made in the Name of the States their Maſters, to procure to the Allies Conditions that ſhould be more reaſonable; thoſe Ambaſſadors having confeſſed the *French* Conditions to be too hard, and ſuch as were not to be ſwallowed up whole. They demand likewiſe, that the *Dutch* would procure the *French* to enter into Treaty with them; that Care may be had of their Allies, and eſpecially of the Duke of *Lorain*, who is worſt of all dealt with; as alſo that the States of the Empire may be ſatisfied.

The *Dane* complains the Time is too ſhort, as the States order it; he conjures them to do nothing that ſhall be to the Prejudice of the 18*th* Article of their Alliance with *Denmark*; and that the King of *Denmark* is ready to make a Peace upon reaſonable Terms.

M.

M. *Blaſpiel* relates what the Elector had done, both to prevent this War, and to get out of it by a good Peace; that he has not yet an Anſwer upon the Moſt Chriſtian King's Memorial and Letter of the 1*ſt* of *June*, from *Wetteren* by M. *Beverning*; that he hopes, tho' Neceſſity ſhould force the States to a ſeparate Peace, yet they will have a Regard to their Alliance with the Elector, that that may ſtill ſubſiſt. That in the *French* Conditions, there is nothing of any Terms upon which a Peace may be made between *France* and the Elector; that thoſe Conditions of Peace with *Sweden ſont indignes*, and contrary to the Obligations of the States to the Elector.

M. *Cannon* gave in no Memorial, but diſcourſed at large to the ſame Effect with the Letter here incloſed, that the Duke his Maſter had writ to the States; whereby he tells them, that either alternative will be equally the Ruin (*l'Aneantiſſement*) of his Soveraignty and his Houſe. For that if his Dutchy of *Barr* be taken from him, he will not only loſe a Country 35 Leagues long, and 18 broad, with about 26 Towns, and near 60 Bourgs and Villages in it, but he will be deprived of that Part of his Eſtate which is leaſt ruined, and where there are ſome Inhabitants left. If *Nancy* be taken from him (which is the other Alternative) he will loſe the only Dwelling-Houſe he has: Beſides that, it is the Centre of his Country, having in it the moſt faithful of his Subjects, and the cleareſt of his Revenue; that the *Provoſté* of *Longurie* being taken from him, all Communication with the *Spaniſh Netherlands* will be cut off; and the Highways being aſſign'd thro' his Country, as projected, it will ceaſe to be a Soveraignty, and will be no more but ſeveral Lordſhips canton'd and divided the one from the other, by thoſe Highways that muſt be reckoned to be *French* Ground.

On *Tueſday*, M. *Oxenſtiern* coming to tell me, he pretended to give in his Power in *Swediſh*, if the *Spaniards* would needs give theirs in *Spaniſh*, and not in *Latin*, took Occaſion, as it were by the by, to tell me, he had been ſummoned by the *Dutch* Ambaſſadors to anſwer to their Project of Commerce; that the Anſwer he gave the *French* Ambaſſadors, who brought him this Summons, was, that the King his Maſter had deſigned a Commiſſary to come over hither on Purpoſe, being inſtructed to treat the Buſineſs of Commerce; but that the Paſſage being not free, he hath not been able to come, nor is M. *Oxenſtiern* inſtructed upon that Subject. That the King of *Sweden* intends really to come to a Settlement of the Commerce; and that M. *Oxenſtiern*, being otherwiſe ready to conclude and ſign a Peace with the *Dutch*, will by a ſpecial Article engage that the Matter of Commerce ſhall be treated, and finiſhed within a Time prefixed. That the *Dutch* ſhould make no Difficulty to accept of this; it having been what they demanded of *England* in the Conferences at *Cologn*, and what they came to in the Treaty of Peace with *England*, the ſettling of the Commerce being referred to another Time. That the Project given in by the *Dutch* for the Commerce, has great Grievances in it, and thoſe not only to the *Swediſh* Nation, but to the *Engliſh*, and other Nations and Neighbours.

He gave me Part of this, to the End I might know what is paſt; that it was true he gave his Anſwer in Writing, but it was not ſign'd nor in Form, it was only for more Certainty, and for the Help of the *French* Ambaſſadors Memory; but he left no Copy of it with me.

He was going, he ſaid, from me, to learn of the *French* Ambaſſadors, what the *Dutch* had ſaid to this Anſwer, and thought it would be hard that the *Dutch*, having not entred into this War with *Sweden* upon any Difference relating to the Commerce, (as appears by their *Manifeſto*)

ſhould

ſhould now refuſe to return to the Peace, becauſe the Commerce cannot be ſettled at the ſame Time.

The ſame Evening, M. *Cannon* was with me, being newly come from the *Hague*, and profeſſing that all the Duke his Maſter's Hopes lie in his Majeſty's Protection, ſpeaking otherwiſe deſpondingly of his Hopes at the *Hague* (I mean from the States) but he is the moſt ſatisfied as can be, of the Prince's Generoſity and Affection for his Maſter. His laſt Orders, he ſays, were ſtill to inſinuate here the abſolute Dependance of that Duke upon his Majeſty, and to pray that I would ſtill make my humble Repreſentations of it, it being the Reſolution of his Maſter to live in Exile, rather than receive his Eſtates ſo mangled and torn, as they are now offered him. I perceive it is M. *Cannon*'s Opinion, that the Emperor and the *Northern* Allies are like to continue the War.

The *Spaniſh* Ambaſſadors ſeeing that M. *de Fuente* would never be able to get into Buſineſs, in Virtue of the Powers I told you of in ſome of my late Letters, reſolved to procure a ſpecial one for him, and deſired me to draw up the Project of a Power for a fourth Ambaſſador. I did it in Blank, as it goes here encloſed; preſuming I was not to refuſe ſuch an Office, it being meerly Preliminary; and afterwards, at their Entreaty, I carried it to the *French* and *Swedes*, who have been pleaſed to allow of it: The *Spaniards* having tranſlated it into *Spaniſh*, ſent it on *Monday* laſt for *Madrid*; and M. *Chriſtine* told me, they do not expect the Return of it in Form in leſs than ſix Weeks Time; and 'tis a Riddle to me, and ſo it is to the *French* Ambaſſadors, what uſe it will be of to them, if they be in earneſt for concluding the Peace as ſoon as it is given out.

M. *Chriſtine* being with me about this Power, asked me, whether I would paſs any Offices for them with the *French*, in Order to have the Conditions that have been publiſhed (or rather preſcribed here) ſomewhat moderated; but I excuſed myſelf, for that I had not yet paſſed any Offices relating to thoſe Conditions, nor could reſolve to do it till I were better inſtructed in his Majeſty's Pleaſure upon them. This he ſeemed to be much troubled at, ſaying, they knew not how to frame themſelves to enter into a direct Commerce with the *French* upon thoſe Conditions; that it was true, the *French* had declared they would be content to treat with them, but it muſt be upon the Foot of thoſe Conditions, and without taking away or diminiſhing any Thing that *France* pretends to by them; however, I did perſiſt in excuſing myſelf.

Yesterday was with me a Gentleman of the Prince of *Ligne*'s, preſſing for Offices in his Majeſty's Name, upon the Pretenſions I ſent you long ſince, of having ſome Settlements that were made in the long Truce of 1609 continued, and made good by the Treaty that is now to be made. I have from him a Reſolution of the States, together with their Letter (that goes herewith) to their Ambaſſadors here, to do their beſt in that Buſineſs: But this being a Matter that muſt come in by Way of Article or Appendage to the Treaty to be made between *France* and *Spain*, I did not think I could well meddle in the one, and yet keep off from the other; therefore excuſed myſelf, and I think I was well founded, in that the Nature of this Thing (ſince it ariſeth not from the War, but is in itſelf a Matter purely judicial, as to the Infractions made by the Prince *d'Eſpinois*) does require a ſpecial Order to enable me for it, being in Truth out of our Commiſſion; and therefore I told him, that as the *Dutch* Ambaſſadors were provided of ſpecial Orders, to appear in a Matter ſo foreign to the Negotiation of this Time and Place, ſo I did not think it fit for me to enter upon it without the

like

like ſpecial Orders; which made him ſay, he would write to M. *de Burgomayne* to move his Majeſty in it.

M. *Wederkopp* was at me likewiſe for my Offices, to get him admitted into this Aſſembly; and that I would humbly move his Majeſty in the Name of the Duke of *Holſtein* his Maſter, that his Majeſty would be pleaſed to ſpeak to Count *Antoine* on that Side, for that a Word from his Majeſty to the Count will procure his Admiſſion here; or elſe, if he ſhould ſo think fit, M. *Wederkopp* believes the *Dutch* Ambaſſadors, if ſpoken to in his Majeſty's Name, would join their Offices with us here, to bring the *Dane* their Ally to do Reaſon in this Matter.

M. *Petcum* being with me laſt Night, complained much that the *Dutch* do already enter into the Mediation, apprehending they will uſe their Allies of the *North* very courſely: However, the King his Maſter is reſolved, rather than not have a Peace that is fair and reaſonable, to loſe all he hath got. He is ſure the Houſe of *Brunſwick* will do ſo; and that the Duke of *Hanover* will rather take Part with them, than againſt them; they are moſt ſure of the Elector of *Brandenburgh*, but they are afraid *England* will take Part with the *Swede*; and that, he ſays, has been the Occaſion of giving in ſome Memorials in *England* by the *Daniſh* and *Brandenburgh* Miniſters there. I remain, *&c.*

L. Jenkins.

Nimeguen, 15th June, 1678.

Right Honourable Sir,

My laſt was of the *13th*, ſince which I have the Favour of yours of the *7th* to acknowledge. The Occaſion of this by an Expreſs is, that this Day at Noon M. *Beverning* came to me, by Order from the States, to tell me, he hoped the *French* Ambaſſadors would, either this Evening or to Morrow, receive Orders upon the two Points that are yet undecided between them; the one is but a Word relating to the Commerce, which the *Dutch* are reſolved to take as the *French* ſhall pen it, rather than make a Buſineſs of it; the other is, the Article of the Prince of *Orange*, wherein they hope to receive a favourable Anſwer; theſe two Points being fixed, they will come, he ſaid, and make it their Requeſt to me, in the Name of the States, to ſign the Peace; but ſaying withal, that if I ſhould excuſe myſelf, they muſt go through with it, and will ſign it before the End of the Month. I gave him an Account, as I had done before, that as ſoon as ever I received from him the Draught of the Preface, wherein there was mention of his Majeſty's Mediation, I had ſent it away for *England* by an Expreſs; that as I was then without Orders, ſo I am ſtill, for a Matter of that Importance; but as ſoon as I had any that ſhould be for his Satisfaction and Service, I would be ſure to give him Part of it.

He told me by the by, that the *French* Ambaſſadors had made ſome Change in the Preface, but it was for the better, ſetting forth the Condeſcenſions of their Maſter towards this State; but that the Reſpect intended to be given the King our Maſter as Mediator, did ſtand entire as it was; he did not, he ſaid, enter into Contention about theſe fine Words, being but Wind, and ſuch as he would not ſtick at: He added, that the States had given them Orders to dreſs a ſpecial Article, whereby his Majeſty may be compriſed in the Treaty, as the King of *Sweden* was in that of *Breda*.

He

He ſaid, this was not all he had to ſay to me, for he wiſhed, he ſaid, (out of Complement, I ſuppoſe) he had ſome of my Help, for that they were fallen into a horrible Embarraſs; it is this, that they going between the *French* and the *Spaniards*, in order to adjuſt the Treaty between them, the *French* had declared to them laſt Night, that they would not void any one of the Places they hold in the *Spaniſh Netherlands*, until *Sweden* be effectually reſtored to the Places taken from them; no, notwithſtanding that the Peace were already ſigned and ratified between them: This, he ſaid, was an Incident that ſurprized him infinitely, and ſo it will his Maſters, who dreamt not of this, when on *Wedneſday* laſt they came to a Reſolution to make the Peace; and will, without doubt, be much to ſeek, unleſs the *French* do depart from this Pretenſion.

The *Spaniards*, on the other Side, are in a Manner wild, he ſaid, upon the hearing of this, and will not promiſe to accept the *French* Conditions, (whereof they had given them, the *Dutch*, good Hopes all along) unleſs they be aſſured beforehand, that they will forthwith void the Places they are to reſtore to the *Spaniard*. And that they will reſtore *Paycerda*, and all other Places taken or to be taken, beſides thoſe that are to remain to them by the Treaty; this they will have a Declaration of beforehand, they ſay, or elſe they will not treat at all: Nay, a Gentleman that told me this News about an Hour before added, that the *Spaniards* now ſpeak it out, they will let the *French* take all the *Low Countries*, and then, ſay they, let the *Dutch* look for their Barrier where they can find it.

M. *Beverning* told me further, that his Maſters are in Pain, for that the *French* are like to fall upon the Elector of *Brandenburgh* in theſe Countries of *Cleves* and *Ravenſtein*; which, as they will be ſure to carry whenever they do attack, ſo the Neighbourhood to them thus near, will be an extream Trouble and Danger; that the Elector does indeed offer the *Spaniards* an Army of 30,000 Men; the Houſe of *Brunſwick* and the reſt of the Allies offering to bring 20,000 more into the Field; but what Good this may do, he, M. *Beverning*, would not take upon him to reſolve; but was hearkening very much whether our Army in *England* was yet disbanding, or elſe like to be kept on Foot for ſome Time. His Reflexion was, that no body could tell what this would come to: If, he ſaid, *France* will keep all thoſe Places in the *Netherlands* filled with their Troops, it is in vain that the States have taken ſo much Pains about their Barrier, for they will have none when all is done. Another Thing he obſerved, that M. *Colbert* had objected unto him with great Soureneſs, it was, that the Prince and the States do connive at the *Spaniards* engaging ſome of the Troops that the *Dutch* do disband in the *Low Countries*: That he had anſwered, there was no Colour to find Fault with them for this, ſince they would not do it but upon this Account, that the *Spaniards* are to go along with them out of the War; and that having no Men of their own, they muſt have Men ſomewhere or other to garriſon their Places: That it would have had the Weight of an Objection, if they had let their Troops to any of their Parties that continue the War: But this Obſervation was, to ſhew how ready, and upon what ſmall Grounds, the *French* are to find Fault.

When M. *Beverning* was gone thus far with me, he broke off, telling me, he and his Collegue were to have a Conference with the *French* Ambaſſadors after Dinner, and that they would afterwards call upon me.

They came, but found me engaged in a Viſit which the three *Imperialiſts* gave me: As ſoon as that was over, I went to the *Dutch* Ambaſſadors Houſe, where they told me, they had diſcourſed with the

French

French Ambaſſadors at large, the Unreaſonableneſs of not evacuating the *Spaniſh* Places upon ſigning of the Peace; 1*ſt*, For that the War againſt *Sweden* might laſt ſeveral Years, and that the Iſſue might not be ſo favourable to *Sweden*, as to bring the Allies to give it entire Satisfaction; and in that caſe, *France* would ſtill have a Pretext to keep thoſe Places. 2*dly*, That the Barrier which the *Dutch* have ſo much inſiſted upon, ſhould all this while be in the Power of *France*, and they lie expoſed. 3*dly*, That it was not in the leaſt in the Power of *Spain* to bring their Allies to give more or leſs Satisfaction to *Sweden*, the *Spaniards* ſitting down themſelves with the greateſt Loſs of all. 4*thly*, That the Moſt Chriſtian King had, both in his Letters to this State, and in his Diſcourſe with M. *Beverning*, aſſured it was his Meaning to leave a Barrier, and to give Repoſe to this Country; but as the Caſe is now put by the *French* Ambaſſadors, they will have neither the one nor the other.

The *French* Ambaſſadors anſwered all that was to be ſaid upon theſe Arguments, but ſtill held their Concluſion, that *Sweden* muſt be ſatisfied before they would void theſe Places. All that the *Dutch* could get from them was, that they would take Time till to Morrow to look again over their Orders, and to compare the latter with the former; beſides that, they hoped by to Morrow's Poſt to receive their King's final Pleaſure upon this Point, as alſo upon the Article relating to the Prince of *Orange*, and the ſingle Word abovementioned relating to their Commerce. When I preſſed the *Dutch* Ambaſſadors to know what they thought in their own Judgments this would come to, their Anſwer to me was, that the *French* did not ſpeak in this Point ſo poſitively and peremptorily as they gueſſed they would have ſpoken, if their Orders had been preciſe and final; ſo that they hoped they might not finally inſiſt upon it; but in caſe they did, they, the *Dutch*, did not ſee how this Peace could poſſibly go on.

Tho' the Reſolution be not final, and to Morrow or next Day they may come to it, and even to the Contentment of the *Dutch*, yet I thought it my Buſineſs to give Notice the ſooneſt poſſible of this Incident; for if they ſhould happen not to cloſe, but to break upon this Point, his Majeſty is infinitely concerned in the Event, and conſequently in the Notice; but that it cannot be certain whether they will break or not, may be gathered hence, 1*ſt*, For that M. *Beverning* was, when he firſt ſpake to me, ſomewhat anxious we ſhould not be too forward in *England* in disbanding our Army: And 2*dly*, That the End of the *Imperialiſts*, in their Viſit to me this Day was, (tho' they pretended to deſire my Offices, wherein I excuſed myſelf to them, as they knew I would) to learn what they could from me as to the State our Army was in; and when M. *de Gurck* was telling me (from ſome *German* Gentlemen that had been at ſome of our Rendezvous) what brave Men they were, and what Pity it was they were not imployed; M. *Kinski* ſaid, (with Reference, I doubt not, to this new Incident) that he expected to ſee Things brought about again, and to ſee them all draw their Swords for the common Cauſe.

Another Thing the *Dutch* Ambaſſadors told me was, that the *French* expected to have an expreſs Article in their Treaty, whereby the *Dutch* ſhould be obliged not to aſſiſt, directly or indirectly, any Enemy of *Sweden*, no more than of *France*; this, they ſaid, would be a moſt ſhameful Thing to ſtipulate by Article, before the Peace between them and *Sweden* was made; *Sweden*, he ſaid, might have the Effect of it tacitly, but they could never anſwer it to their Allies, nor to the World, to ſuffer their Hands to be tied up with relation to ſuch an Enemy,

eſpecially ſince M. *Oxenſtiern* gives them no Manner of Satisfaction in the Point of Commerce, which is the only Point in Controverſy between them; but gave them in a Paper, which M. *Beverning* did ſlight very much in his Reflexions upon it.

A *third* Thing was, that the *Dutch* Ambaſſadors having Orders to propoſe to the *French* a Neutrality for the Countries of *Cleves* and *Ravenſtein*, in Regard of the Neighbourhood of thoſe Places to the States Territories, M. *Colbert* did ſtorm at them, and fell into ſuch a Paſſion, that he would needs preſently break off all Treating, and ſend away a Courier this Night, to advertiſe their King, that the *Dutch* intended not a Peace, but to give the Law to them here, and to ſpin out the Time with Delays and Amuſements; therefore that it was fit for them, the *French*, to advertiſe their King with the ſooneſt poſſible, that he may begin the War again with the Beginning of *July*, *N. S.* and think no more of a Ceſſation.

One Argument the *Dutch* preſs'd unto them for this Neutrality was, that it would be in vain for them to have a Barrier on the *Flanders* Side, if the *French* ſhould come and plant themſelves ſo near in their Neighbourhood, and preſs with all the Inconveniencies of War on this Side.

The Storm upon this laſt Point was not to be calm'd, but with putting off the Debates of all theſe Points till to Morrow.

One Thing M. *de Haren* added, upon M. *Beverning*'s ſaying, that there is ſome little Caſtle near *Dinant* that the *French* have now found out, and will needs have, together with that Place, if the *Spaniards* will not let them have *Charlemont*; it was this, that he verily believes the *French* would keep ſome Place or other in the *Spaniſh Netherlands* in their Hands, till the Prince of *Liege*, his Chapter, and his Eſtates, can be got to make over that Place; which God knows when that will be.

Another new Thing that the *French* ſtarted to day was, they would have an expreſs Article for the reſtoring of the Marquiſate of *Berghen op Zoom* to the Count *d'Auvergne*; the Obſervation they made upon this and the whole Matter was, that the *French* are very exacting in Points where they are to gain any Thing, and very touchy where any Thing is demanded from them; nor can I ſay that they ſeem to be other than diffident of the Peace, upon the preſent Complexion of the *French* Ambaſſadors.

As ſoon as I can learn the Reſolution of the *French* upon the voiding of the Places, which I take to be the great Point at preſent, I will endeavour to give you Notice with the ſooneſt poſſible. I remain, *&c.*

L. Jenkins.

Nimeguen, 17th June, 1678.

Right Honourable Sir,

My laſt was of the *15th*, at ten at Night, by Expreſs; I have ſince the Favour of yours of the *11th*, by him that went Expreſs from hence the *4th* Current; it is with the deepeſt Senſe of Duty poſſible that I acknowledge that Royal infinite Goodneſs, wherewith his Majeſty is pleaſed to take Notice of my little Diligences on this Side; and ſhall be careful not to ſlacken them, as long as the preſent malevolent Planet is reigning over us.

I told

I told you in my laſt, how the *French* Ambaſſadors had on *Thurſday* laſt, taken Time to review and compare their Orders, about the evacuating of the Places in *Flanders*, and had promiſed to give the *Dutch* Ambaſſadors next Day (which was yeſterday) their Thoughts upon that, and other Points depending between them; but the *Dutch* heard not from them all Day yeſterday, and this Day at Noon they ſent to let them know, they hoped to hear from them before this Day's Ordinary ſhould go off, to the End they may write to their Maſters. This the *Dutch* Ambaſſadors told me themſelves now at Noon; they ſay, they have no Letters, nor do they expect the Reſolution of the States upon the Evacuation in *Flanders*, and the Neutrality of *Cleves*, till to Morrow. M. *Beverning* ſaid, if either of theſe Points ſhould be refuſed them, he doth not ſee how they can ſign the Peace; yet their laſt Orders, he ſays, are to ſign it; and if they ſhould not do it, they would not dare to ſhew their Heads in *Holland*.

This ſeems to me to be ſome Ground for the Opinion that the *Imperialiſts* have, which is, that tho' the Places ſhould not be evacuated in *Flanders*, and tho' the Neutrality ſhould be refuſed in *Cleves*, yet the States will not forbear making their own Peace. I have this from M. *Cannon*, who tells me alſo of the extream Dread the *Spaniſh* Ambaſſadors are in, leaſt the whole Country, if it ſee itſelf not preſently rid of the *French* Troops, ſhould voluntarily give itſelf up to that King.

One Thing more M. *Cannon* told me, which I can no longer doubt of; which is, that the Nuncio paſſes no Offices (no more than I do) between the *French* and the *Spaniſh* Ambaſſadors, in their preſent Intercourſe; and the Reaſon that he forbears is, becauſe the Conditions are intolerably hard, and the Manner of preſcribing them differing from all Practice hitherto known between Soveraign Princes.

Another (who hath good Acceſs at the Nuncio's) tells me, 'tis becauſe he eſteems it a Wrong to his Dignity, that the Mediation is put by both thoſe principal Parties into the Hands of the *Dutch*; and that this State is to have the Honour of reconciling thoſe two Crowns: Beſides that, he cannot move for the alienating of *Dinant* from the Church, having, on the contrary, exhorted the *Spaniards* all he hath been able, not to give in to that Alternative; hence Men collect, they will be brought to part with *Charlemont*.

The lateſt News from the Empire is, that the *Imperial* Army is in very good plight; and that the States that are concerned in the Neighbourhood of *Philipsburgh*, will do and endure any Thing rather than have that Place return to the *French*, to be garriſon'd by them; but 'tis thought here a Temperament would be eaſily found out, which is, that both *Friburgh* and it ſhould be demoliſhed: Only the Method that the *French* have taken, to preſcribe their Conditions, as if they were Laws, is that which an Emperor knows not how to digeſt.

Now that it is 4 a Clock, the *Dutch* Ambaſſadors ſent me their Secretary with this Account, that they had ſent him juſt before to the Mareſchal *d'Eſtrades* upon a particular Buſineſs, but with Order to give him Occaſion, if it could be done, to ſpeak upon the Subject of voiding all Places in the *Spaniſh Netherlands*. The Mareſchal's Anſwer was, that there was no Appearance any ſuch Thing could be done; for that they, the *French*, muſt have Places of Retreat, ſince they are to make a War upon the Elector of *Brandenburgh*; he named *Maeſtricht* and *Charleroy*; adding, that they muſt continue the War for *Sweden*, tho' not for themſelves; and they muſt take *Weſel* if they can, and ſo other Places in *Cleves*, and the Marquiſate of *Brandenburgh*, to the Equivalent of what is

taken from *Sweden*, and that the rather, in that *Stralſund* will be attacked, and the Iſle of *Rugen* recovered (in all Probability) very ſuddenly: The Mareſchal laid much of the Blame of this Embarraſs upon M. *Oxenſtiern*, who will admit of no Temperament or Delay in the Caſe; but the Mareſchal's Opinion was, none of the *Spaniſh* Places would be evacuated till *Sweden* had its full and entire Satisfaction. This the Secretary of the *Dutch* Embaſſy had Orders, as he told me, to ſay from his Maſters, and withal to give Orders to the Poſt, which is this Day at their Diſpoſal, to ſtay till my Diſpatch were finiſhed. I do not think this, ſince it is a Diſcourſe of the Mareſchals alone, and not an Anſwer from the *French* Embaſſy, worth the while to ſend by an Expreſs. I am, *&c.*

L. Jenkins.

To Mr. Secretary *Coventry.*

Nimeguen, 17*th June*, 1678.

Right Honourable Sir,

As ſoon as I received the Favour of yours of the 7*th* Current, I went to M. *le Preſident Cannon*, and repreſented to him the Purport of it; with that double Caution, that the Writing he and I was to agree, was not to go for a Memorial, but for an Inſtruction to his Majeſty's Ambaſſador; next, that we were to avoid the putting in of any Thing into it that might offend, but only ſuch Things as might be proper to move, in the Way his Majeſty now took to employ his Offices; he took upon him to draw up the Paper, and drew it as it goes herewith encloſed: I found he was loath to depart from any Thing he had conceived, and ſet down; particularly the laſt Article, whereby it is inſinuated, that the Duke his Maſter will, rather than ſubmit to either of the Alternatives as now offered, *remain an Exile out of his Country*; this, he ſaid, would preſerve to him his Right and Title; and continue his Allies (tho' they ſhould make a Peace for themſelves) under the ſame Obligations they have entered into by the Treaty now in Force, to ſee the Duke of *Lorain* reſtored.

My Opinion was, that tho' the Duke was at Liberty to chooſe this Extremity, yet that it could do him no Manner of good, to have it told, or ſo much as inſinuated to the Moſt Chriſtian King: His Anſwer was, he had declared as much, not only to the Allies in their Aſſembly, but to the *French* Ambaſſadors here; only he gave me Liberty to hint to Mr. *Montague* what I ſhould think moſt ſuitable to his Majeſty's Pleaſure, when I ſhould ſend him this Paper, the Paper being of length; I let him know, it would be for his Service, that an Extract ſhould be made of it, to the End Mr. *Montague*, when he ſhould go to take an Audience upon it, might find the Heads he was to ſpeak upon in a narrower Compaſs; this he liked of as I drew it; and 'tis to be ſent to *Paris* along with his Writing, that Mr. *Montague* may pleaſe to uſe the one or the other, as he ſhall ſee Cauſe: I have endeavoured that there ſhould be nothing in it that can be ill taken. Theſe Papers I intend to ſend to Morrow for *Paris*, together with an Abſtract out of the Letter you have been pleaſed to write me upon this Occaſion, that Mr. *Montague* may the better ſee how you have been pleaſed to limit us here, and govern himſelf accordingly.

M.

M. *Cannon* returns you his Complements with all Thanks, and thinks himſelf very happy to have a Place ſtill in your Memory. I remain always, *&c.*

L. Jenkins.

To Mr. Secretary *Williamſon.*

Nimeguen, 18*th June*, 1678.

Right Honourable Sir,

MY laſt was of yeſterday by the Ordinary, whereof there goes a Duplicate herewith incloſed: I acknowledged the Favour of yours of the 11*th*, and cannot yet expect any of a freſher Date.

The *French* Ambaſſadors having been at eight this Morning with the *Dutch*, and theſe laſt, after that Viſit, at the *Spaniards*, the *Dutch* Ambaſſadors, as ſoon as they returned from the *Spaniards*, ſent their Secretary to me, to tell me, the *French* Ambaſſadors had, in a Viſit this Morning, declared to them, they meant to reſerve to themſelves the Faculty of making uſe of the Places they had conquer'd, in the War they are to carry on againſt the Elector of *Brandenburgh*, and not to evacuate them till *Sweden* is fully ſatisfied; he was ordered to tell me, of what they had delivered to the *Dutch* Ambaſſadors on *Saturday* laſt, whereof you have an Account by the Expreſs of that Day. I ask'd him, whether they gave any Hopes of the Neutrality the *Dutch* had propoſed for the Country of *Cleves* and *Ravenſtein*; he told me, he had heard of none at all. I asked him, whether the *Dutch* Ambaſſadors would ſign the Peace before the 1*ſt* of *July*, *N. S?* His Anſwer was, that his Maſters had not inſtructed him upon that Point, but that in his Judgment, this was an Incident of ſo high a Nature, that they would not paſs on to ſign the Peace, till they had the States their Maſters Reflexions upon it, and new Orders. I ask'd him, what Truth there was in that, which is blown abroad this Day, that the Courier the *Imperialiſts* had received on *Sunday* laſt had brought Word, the Emperor would give into the Peace, ſince *Spain* did? He told me, there was little likelihood of that, the Manner being conſidered, that the *Imperialiſts* explained themſelves yeſterday at the Aſſembly, which was by Way of withdrawing themſelves from all Overtures tending that Way.

All this that hath been told me by the Secretary, is juſt now confirmed to me by the *Dutch* Ambaſſadors; for I could not, but upon this Occaſion, beg one Moment to ſpeak with them in Perſon; they told me, the *French* Ambaſſadors had raiſed new Difficulties in the Treaty of Commerce, and that they will not paſs the Prince of *Orange*'s Article, as it was propoſed; they will keep *Maeſtricht* till *Sweden* be ſatisfied, and the other *Spaniſh* Places; but which was moſt horrible of all, (I uſe M. *Beverning*'s own Words) the King their Maſter will not ſuffer the *Swedes* to give ſome Kind of Conſent (as they are willing of their own accord to do) to the Elector of *Brandenburgh*; the *Swedes* having entered into this War in the Quarrel of *France*, it is not for the Glory of that King, to ſuffer any ſuch Compoſition, but will hinder it all he can. The *Dutch* Ambaſſadors having declared they could not ſign the Peace without a Line in the Treaty, whereby *Maeſtricht* ſhould be ſurrendred to them at the Time of the Ratification; the *French* ſaid, they would then write, that the Hoſtilities might go on; this gave M. *Beverning* Occaſion to write to Count *Waldeck*, to be upon his Guard; and they told me

me plainly, they would not, nor could not ſign the Peace between this and the 1*ſt* of *July*. I remain always, *&c.*

L. Jenkins.

Nimeguen, 20th June, 1678.

Right Honourable SIR,

MY laſt was of *Tueſday* the 18*th*, a Duplicate whereof I take leave to encloſe; we have no Letters ſince out of *England*.

M. *de los Balbaſes* giving me the Favour of a Viſit laſt Night, quickly entered upon the great Incident, about evacuating the Places that the *French* are to give up; he told me, that it was he that put the *Dutch* Ambaſſadors upon demanding of the *French* a Declaration in Writing, that they would withdraw their Troops out of the Country upon the ſigning of the Peace; and evacuate all the Places (they were to reſtore) when the Ratification ſhould be brought from *Spain*; theſe two main Points having been (as it happened) omitted by the Duke *de Villa Hermoſa* in the Declaration he gave the 3*d* of *June*, *N. S.* of his accepting the Peace.

THAT this was a Peace he, the Marquiſs, would not be ſeen to be the leading Man in, there being nothing more contrary to his Orders, than to give into it, as the *French* preſcribe it; but that the Duke *de Villa Hermoſa* having accepted the Peace, and reſigned himſelf to the *Dutch*, he was not to oppoſe it; but did always propoſe to himſelf to have beforehand a Declaration from the *French* Ambaſſadors in Writing, that they would make good the two Points abovementioned; as alſo a third, which was in the Duke *de Villa Hermoſa*'s Paper; it was, to reſtore all Places taken, and to be taken, in what Part of the World ſoever; thoſe that were to remain to *France* excepted.

THAT he having this Declaration from the *French*, he would have given them another in Exchange, whereby he would declare, that he did accept of the *French* Conditions, and would ſign the Treaty, into which they are to be digeſted; but that this muſt be a Work of Time, the extending of thoſe Conditions into Articles having in it, he ſaid, ſeveral Difficulties.

THAT he had left the *Dutch* Ambaſſadors reſolved to go in a Body ſome Time this Day to the *French* Ambaſſadors, and to declare to them, they were ready, in Purſuance of the Letter the States had writ the $\frac{12}{22}d$ Current to the Moſt Chriſtian King, to ſign the Peace; and if the *French* ſhould refuſe it, to make their Proteſt, which (he thought) they would give in Writing, fixing the Cauſe of all upon their Refuſal to withdraw their Garriſons, *&c.*

THAT the *French*, on the other Side, do menace, that the Hoſtilities ſhall begin afreſh the 1*ſt* of *July*, *N. S.* and that *Meſſieurs les François* had told him, that nothing is now demanded, but what is concerted with the King our Maſter ſhould be demanded, even the not voiding of theſe Places.

THE Marquiſs replied, as he ſays, that 'tis a Wonder then his Majeſty's Miniſter here, (meaning me) ſays nothing to them, the *Spaniards*, or the *Dutch*, of any ſuch Thing, nor does paſs any Offices one Way or other upon this new Foot; nor yet that they can hear any ſuch Thing from the *Spaniſh* Miniſter in *England*; to this he was anſwered, there might be Conſiderations (eſpecially thoſe relating to the Parliament) that might make his Majeſty ſhy to appear, or declare himſelf openly in this Buſineſs; but that it was certain, the Moſt Chriſtian

ſtian King had his Majeſty's Approbation in all he did. As to this laſt Point, I muſt not forget to tell you, that M. *d'Odyike* did ſay yeſterday, that Mareſchal *d'Eſtrades* would needs perſwade him, that what the *French* were now doing, was by Concert with *England*.

M. *de los Balbaſes* yet ſeemed to be willing to believe, there was ſomething unfair in this Surmiſe; his Argument was, from what he ſays paſs'd in *England* lately between M. *Sindenaw* and M. *Barillon*; the firſt having had a favourable Declaration from his Majeſty, that he had made no ſuch Promiſe relating to the Satisfaction of *Sweden*, as is ſuggeſted in the firſt Article of the *French* Conditions; and having acquainted the King of *Denmark* with it, and given his Majeſty that King's Thanks for it, yet M. *Barillon* offered to lay Wagers his Majeſty had made no ſuch Declaration; which, the Marquiſs ſays, is taken Notice of as a very extraordinary Thing in M. *Barillon*.

Upon this whole Matter in Difference, he told me, he believ'd the States would come to ſome vigorous Reſolutions; and their Troops would be able not only to defend all the Places in the *Low Countries* from Attack, but to drive them out of the Country.

From this he paſs'd on to deſire my Offices with the *Swede*, not to inſiſt upon his *Swediſh* Language, but to give in his Powers in *Latin*, as the *Swedes* have done in ſeveral Treaties with *France*, the *French* giving theirs in their own Language. He deſired me likewiſe to ſpeak to the *French* Ambaſſadors, that M. *de Fuente* may be forthwith admitted to treat and negotiate with them, he, the Marquiſs *de los Balbaſes*, and M. *Chriſtine*, firſt obliging themſelves, by their Act in Writing, that within ſix Weeks there ſhall be Powers in good Form brought hither from *Madrid*, and exhibited for M. *de Fuente*.

The laſt Thing he ſpoke on was, that we might enter into ſome Temperament about the Viſit of Ceremony; that M. *de Fuente* ſhould write ſuch another Letter as M. *de Gurck* had writ upon the like Occaſion; but that M. *de Ronquillo* having once writ for the whole Embaſſy, it was not proper to repeat it again for one ſingle Ambaſſador.

Upon the two former Points, being purely preliminary, I promiſed to do my Offices; upon this laſt, I told him, I had made my Report to his Majeſty, and that he had been graciouſly pleaſed not to diſapprove of what I had done; and therefore that I was not at Liberty now to make any Alteration.

As ſoon as the Marquiſs was gone, came to me the Secretary of the *Dutch* Ambaſſadors, to acquaint me, as he ſaid, from his Maſters, that they had had an Anſwer and Orders from the States upon their Diſpatches hence on *Saturday*, (which was the Day on which the *French* firſt diſcovered their unexpected Pretenſions) and that the Orders of the States are, that they, the Ambaſſadors, are to inſiſt upon the evacuating of *Maeſtricht*, and the *Spaniſh* Places, and are not to depart from that Demand.

I was this Day at Noon at M. *de los Balbaſes*, he having promiſed me an Account of what was to paſs this Day between the *Dutch* and the *French* upon the Proteſt; he had not then heard from the *Dutch*; all that he could tell me was, that the States were reſolved, and would never depart from their Demand, to have their Places evacuated.

It is now almoſt four, and the *Dutch* Ambaſſadors ſend Word, they diſpatch an Expreſs out of Hand, and will detain the Ordinary till eight this Evening. A Gentleman tells me, that between this and that Time they will perform what they have to do with the *French*.

I take

I take Leave to incloſe a Paper that is come to our Hands here, as writ by M. *d'Eſtrades* to M. *Pompone*. I am, *&c.*

L. Jenkins.

Nimeguen, 20th June, 1678.

Right Honourable Sir,

JUST now M. *Beverning* calls upon me, as he had taken Leave of the *French* Ambaſſadors, where he and his Collegues had been for an Hour and half at a Conference; the ſhort of it is this: The laſt Orders of the States are, that they ſhould inſiſt finally to have *Maeſtricht* and the *Spaniſh* Places voided, upon Exchange of the Ratification; and this they thought ſafeſt to inſinuate by civil Letter, as they did to the *French* Ambaſſadors, ſending incloſed with their Letter, the two Treaties, that of Peace, and that of Commerce, compleat in all their Points, offering themſelves to come over to the *French* Ambaſſadors, and to ſign both Treaties this Day.

The *French* would not ſo much as look upon their Letter, but ſent it back without breaking open the Seal; then the *Dutch* demanded an Hour of them, which being had, they diſcourſed the Points in Difference at large; they offered to leave the Point of Commerce, and the Concern of the Prince of *Orange*, to a ſeparate Article, as they ſhould agree it, but the Evacuation of the Places they ſtood upon as indiſpenſably neceſſary; the *French* Ambaſſadors Anſwer upon that Point was, that they had written to Court, and muſt expect the Anſwer of the King their Maſter upon it.

M. *Colbert* was not ſo hot this Day as uſual: M. *Beverning*'s Expreſſion was, when I ask'd him what this would end in, *Il me ſemble qu'ils commencent à branler un peu*; but that his Maſters were, as he found by their Letters, very reſolute; tho' the laſt Letters they had were an Anſwer to their Advices of the 15*th*, that is, upon the firſt Diſcovery they had made to them of the Intention of the *French* to detain thoſe Places; they have not yet, he ſaid, their Reſolution upon the Anſwers of the *French* made the 18*th*, which was deciſive: Having given me a Sight of the Letter he had writ to the *French* Ambaſſadors, he went away in Haſt; telling me, he hoped that Letter would ſerve them more for his Diſcharge and his Collegues, in that the Offer of ſigning the Treaties that was made by it, did affect the *French* with a plain Refuſal. This is all the Account I have to give of this great and critical Day. I am, *&c.*

L. Jenkins.

Nimeguen, 24h June, 1678.

Right Honourable Sir,

ON *Thurſday* laſt (the 20*th*) I troubled you with two Letters, the firſt went at four, by an Expreſs that the *Dutch* Ambaſſadors then diſpatched; the other was at eight, they detaining the Ordinary till that Hour. I have ſince the Favour of one from you of the 14*th*, together with an exact Collection of Precedents, and ſeveral Queries that you have been pleaſed to lay before his Majeſty, in order to my Government here, both as to the Preface which the *Dutch* Ambaſſadors had put into my Hands, and to other Queſtions that may be put to me in this

this Conjuncture: I moſt humbly thank you for the Light you are pleaſed to give me therein, of his Majeſty's Pleaſure upon the ſeveral Points: I ſhall keep as cloſe to it as I can poſſible, and hope his Majeſty will hereafter find, he hath made the far better Choice, in declining to have any Part in theſe Treaties as they were going on; for, beſides that the Conditions are ſo hard, that ſome of the Parties (*Spain* and *Lorain* eſpecially) would have expected to have them in ſome Degree mollified by his Majeſty's powerful Offices; the very Reaſons and Inſtances that his Majeſty, as Mediator, would have right to uſe and preſs, are now (by declaring the Conditions to be ſuch, as not to admit a Debate upon) ſhut out of Doors; a Way not hitherto practiſed, (that ever I have heard of) where a great King hath been ſo ſolemnly and ſo univerſally received for the common Mediator, as his Majeſty hath been.

Being on *Saturday* upon an ordinary Viſit with M. *de Gurck*, he told me, he expected that a vigorous Reſolution would be the Reſult of the Debates that were to be had at the *Hague* that Day, which was to be a great Day among them; and that the States, unleſs they were diſcouraged by our proceeding ſo faſt as we do in *England* to disband the Army, would let the World ſee, they repented of the Haſt they had made, and that they would take other Meaſures to get a Peace, ſuch as ſhall be ſure and laſting. That the Army upon the *Meuſe* is 20,000 effective Men; and that M. *de Schomberg* is forced to give Ground. That the Declaration the *Brandenburgh* Miniſter hath made at the *Hague*, is no more, but that he is content and deſirous that the *Dutch* ſhould compriſe him in the Peace they are making with *France*, but that there was not a Word of *Sweden* in it; but others report, that he hath formally accepted of the Ceſſation in relation to *Sweden*, as well as to *France*. That as the Prince of *Orange* has ſhewed himſelf a Prince of extraordinary Wiſdom in all the Parts of this Affair, ſo he hath even excelled himſelf in ſeveral Diſcourſes laſt Week to the States, ſo full of Force and Reaſon were they upon this Incident; and M. *de Gurck* is perſwaded, he ſays, he hath many Converts among them.

M. *Petcum* being with me laſt Night, told me, that the *Daniſh* Miniſter at the *Hague* (M. *Meyercroon*), having Orders to complain (as he hath done lately) againſt M. *Van Beuninghen*, for ſome diſreſpectful Language that he hath uſed (at our Court) of the King of *Denmark* and his Affairs: and having upon that Occaſion ſome Diſcourſe with the Deputies of the States, with particular Reflexions upon the preſent Affairs of *England*, and upon the Help the Allies might have thence for their common Cauſe; was anſwered, that there were no Hopes of any Good for them out of *England*, for that *England* and *France* had very lately made a Treaty between them.

M. *Petcum* confirmed to me what is generally ſaid here, that the *Dutch* Ambaſſadors had, on *Thurſday* the $\frac{20}{30}$*th* Current, deſired the *French* to write to M. *de Luxemburgh*, that Hoſtilities might not begin till the Reſolution of the Moſt Chriſtian King ſhould be known upon this Incident; and they had promiſed to write, but would not undertake their Deſire ſhould be complied with. He told me further, that M. *de Haren* had aſſured him, that he and his Collegues had had three Diſpatches one after another from the States, letting them know, they adhered to their Reſolution, that the voiding the Places upon the Exchange of the Ratifications ſhould be expreſly ſtipulated in the Treaty. M. *d'Odyke* did tell Mr. *Chudleigh* late laſt Night, that he and his Collegues had had Advice but a few Hours before, that the States continued

firm to their Reſolutions; and that they were ſending Notice of it to his Majeſty.

M. *d'Odyike* asked Mr. *Chudleigh*, whether he knew of any Orders I had, to paſs Offices here in ſuch Things as do immediately concern his Highneſs the Prince of *Orange*; this obliged me to deſire him to acquaint M. *d'Odyike*, that as I have no Orders of late ſent me, relating to the Concerns of any of the Parties, therefore have forborn to appear, tho' ſought by all of them; ſo I had no Orders relating to his Highneſs in his own Particular, but that I would be ſure to write by this Poſt, and moſt humbly offer it to his Majeſty's Conſideration.

Most of them that favour the Allies, do perſwade themſelves, this Incident about evacuating the Places, will come to an abſolute Breach; thoſe that favour the *French* ſay, it will be made up with a Temperament, which is, that his Majeſty, the Moſt Chriſtian King, and this State, do agree a Plan for the *North*, and then engage to ſee it executed: Beſides that, they ſay the *French* Ambaſſadors are abundantly juſtified, in that they have offered to ſign the Treaty as it was firſt dreſs'd, in indefinite Terms; and that the Novelty, and conſequently the Difficulty comes from the *Dutch*, who would have a Time ſet by a new Clauſe, for voiding the Places of the *French* Garriſons.

What M. *Colbert* ſaid to M. *Beverning*, that this King would never endure that *Sweden* ſhould yield any Place, or come to any Compoſition with the Elector of *Brandenburgh*, or his Co-Allies in the *North*, he told M. *Heugh* the other Day; which gave him Occaſion to anſwer (as M. *Petcum* reports it) in theſe Words, *Ceux qui nous voulent manger ſeront obliges de Commencer par les Cornes.*

Just at Noon came to me M. *Blaſpiel*, and having told me of a Meeting that the *Imperialiſts*, the *Spaniards*, he, and M. *Termulen*, (the *Munſter* Miniſter that is now in Town) had had yeſterday together; and of ſome Articles of Direction they had agreed on for the Government of M. *le General de Spaen*, (who was then with them, and goes this Day out of Town, in order to put thoſe Articles in Execution) he produc'd two Papers, and gave me Leave to take Extracts of them for better Certainty. The Extracts I took go herewith incloſed, in the one you'll find, the Army between the *Rhine* and the *Meuſe* to be 15,000 Men, in the other, how they are to be imployed.

He added, they were now in Treaty for a Body of 14,000 Men more, to join theſe that are already together; and hoped to let me ſee in a few Days, a Project how thoſe Men were to be brought together, and from whence, (for raiſed they are already) as alſo how they are to act, but was loath to give me a Copy of thoſe Papers.

He ſaid, he brought me this Account of the Affairs of the Allies at this Time, for that the States had on *Saturday* laſt reſolved (among other Things) to ſend to his Majeſty, to intreat his Offices with the Moſt Chriſtian King, that the Places in Queſtion might be evacuated, and the Treaty of Commerce, as it is now minuted, agreed to; otherwiſe that they muſt continue the War; and in caſe the Moſt Chriſtian King ſhould refuſe it, then his Majeſty was to be prayed to join his Arms with thoſe of this State, and the other Allies, to procure them a reaſonable Peace.

He enlarged further upon the little Probability there was, that *France* would abate any Thing of its Demands; M. *Colbert* having, he ſaid, diſcovered to M. *Beverning* ſome new Difficulties about the Commerce, that are yet to ariſe from the *French* Side; which he (M. *Beverning*) judges to be ſuch as the States will never yield to.

For

FOR the Elector his Maſter, he ſaid, it was a perfect Miſtake; telling me, I might confidently repreſent it as ſuch, whereby it was blown about in this Country, that the Elector gave into the Ceſſation of ſix Weeks, as to what relates to the *Swedes*; when he heard indeed that this State had concluded its Peace with *France*, he gave Orders that he might be compriſed therein as to *France*, but not a Word as to *Sweden:* Upon the firſt News, he ſaid, that this State was wavering, the Elector offered to come in his own Perſon with 18,000 Men to their Aid; upon the next News, that the Peace was actually concluded, his Orders to his Troops on this Side, were to march towards *Pomerania*, reſolving to make what Impreſſions he could upon the *Swedes*; upon the laſt News of all, which was, that the *French* were like to fall into *Cleves*, his Orders to General *Spaen* were, that he ſhould draw all the Troops, and get all the Proviſions he could into *Weſel*, in Order to defend it and the Country.

ANOTHER Thing he ſaid was, that the Electoral College at *Ratisbone* had reſolved never to accept of the Peace as 'tis propoſed (or rather preſcribed) by *France*, and that the Elector of *Bavaria* had expreſly ſo given his Vote. He concluded with telling me, that from the Diſcourſes of the *French*, (as they are underſtood by M. *Beverning*) and the Reſolutions of the States on *Saturday*, there is more likelihood of a Breach than otherwiſe; for that tho' the *Dutch* will not break with the *French* upon the Neutrality they have demanded for *Cleves*, yet they will break with them upon the Point of Evacuation, or elſe of Commerce, and the Town of *Amſterdam* will come into it. I am, *&c.*

L. Jenkins.

Nimeguen, 27th June, 1678.

Right Honourable SIR,

SINCE my laſt, which was of the 24*th* by the Ordinary, I have the Favour of one from you of the 18*th*, for which I moſt humbly thank you.

M. *Beverning* giving me the Favour of a Viſit on *Tueſday*, (as he was returning Home from M. *Colbert*'s) told me, the *French* Ambaſſadors had received a Courier that Morning, but it brought them an Anſwer only to their Letters of the $\frac{14}{24}$*th* of *June*, together with about 800 Paſſports for Ships that ſhould deſire to go out of thoſe Ports before the Time prefix'd for a free and ſafe Paſſage, thoſe Letters had nothing in them of the great Incident about evacuating the Places; *Mais ils ſe radouciſſent, ce me ſemble, un peu ſur ce point*; thoſe were his Words.

THERE is a Difference between the *Dutch* and the *French*, about Liberty of trafficking from one Enemies Port to another; the *Dutch* inſiſt to have it granted to them in the ſame Latitude and Words, as it is granted to the *Engliſh* in our laſt Marine Treaty with *France*; this the *French* Ambaſſadors will not hear of; yet as far as I am able to gueſs, there is nothing in Difference between them about the Commerce, that the *Dutch* will finally break upon; the Point of voiding the Places is the only Point they will ſtand upon; all the Provinces, and every Town in them, being unanimous for it.

ONE Thing he obſerved to be hard, and againſt the common Uſage in the Proceedings of the *French* Ambaſſadors with them the *Dutch*; when Exceptions, ſays he, are taken to a certain Number of Articles,

or to any Words in the Articles, thoſe that no Exceptions are taken againſt, are ſuppoſed to be clear, and without Exception; but 'tis not ſo in this Negotiation, the *French* Ambaſſadors do, at every Conference, offer ſome new Matter upon Articles that were thought to be clear and approved of; but theſe are Pills, ſaid he, that muſt be ſwallowed.

M. *Beverning* was pleaſed in this Converſation to communicate to me the Moſt Chriſtian King's Anſwer to the States, as alſo M. *de Luxemburgh*'s Letter to the States Envoy at *Bruxells*, about withdrawing the *French* Army; thoſe Letters going upon a Suppoſition that the Peace was ſigned. I take leave to encloſe Copies of both, as alſo of an Extract ſaid to be of a Letter the *French* Ambaſſadors writ to M. *Barillon*, upon the great Incident about the garriſon'd Places; this Extract is diſperſed by ſome of the *French* Domeſticks, with Deſign to lay the Fault and Delay at the Door of the *Dutch*.

We have watched till now, that it is paſt Noon, to hear what the Letters from *France* will ſay upon this Incident; but it ſeems, there is not a Word of it in thoſe come to Hand this Day (they being of the $\frac{22 \text{ June}}{2 \text{ July}}$) but 'tis to be obſerved, that the ſame Thing was ſaid of the Letters that came to the *French* Ambaſſadors by an Expreſs on *Tueſday* Night laſt; and there being ſeven Days from the 15*th* to the 22*d*, the Letters hence do not uſe to be ſo long in the Way.

Every Body is impatient to know what *France* will reſolve finally; but the *French* Domeſticks ſay, the Thing will come to a Temperament, and that the *Dutch* are labouring in it.

The *French* give out, that *Rhinefelden* is beſieged by a Detachment come from the *Low-Countries*, and ſome Troops joyned to them from M. *de Crequi*'s Army, and they ſuppoſe it to be taken by this Time; the *Danes* on the other Side do hope, that M. *Guldenliew* has by this Time given a good Account of *Bahüs* to his King.

M. *Stradtſman* did, on *Mondays* Conference of the Allies, deliver it for certain, that the Deputies of *Bavaria* and *Hanover* have declared againſt accepting of a Peace in the Manner it is preſcribed. I am, *&c.*

L. Jenkins.

Nimeguen, 30th June, 1678.

Right Honourable Sir,

Tho' I had notice ſeveral Ways, that the *French* Ambaſſadors had had (with the Ordinary that came in at 8 this Morning) an Anſwer to their Diſpatches of the 15*th* and 18*th* of this Month, *O. S.* upon the Incident between them and the *Dutch*, about evacuating *Maeſtricht* and other Places that are to be reſtored, and that the Moſt Chriſtian King did perſiſt in his firſt Demands; yet I had nothing certain to write, till now that I have ſpoken with M. *de Haren*, who took the Pains to come to my Houſe, and to impart to me what had paſs'd between him, his Collegues, and the *French*, as ſoon as their Conference was over.

The *French*, as he told me, took an Hour of the *Dutch* Ambaſſadors, and were at their Houſe this Afternoon at five; they told them, without much Preface, that it was not the Intention of the King their Maſter, to deliver up *Maeſtricht*, or any other of the Places that were to ſerve for a Barrier, before *Sweden* do receive its entire Satisfaction; in

in this the *French* Ambaſſadors perſiſted, notwithſtanding all that the *Dutch* did by Way of Diſcourſe argue in the Point againſt them.

THE *Dutch* Ambaſſadors at laſt told them, that the Orders they had from the States their Maſters, were directly oppoſite to this Pretenſion; and that they would do no more but adviſe them (as they would do by diſpatching an Expreſs forthwith) of ſo unexpected a Declaration.

THUS they were going to part; the *French* Ambaſſadors taking Occaſion to tell them, they would not anſwer for the Diſorders that might happen upon this Occaſion.

AS they were riſing, they let fall (as it were) a Word touching the Town of *Mons*; it was, that the King their Maſter would render that Town, in Caſe it ſhould fall into his Hands, after that the Treaties between him and the States General ſhould be ſigned and ratified; hereupon the *Dutch* Ambaſſadors ſay, it may be inferr'd, that he will not render the Town, in Caſe it do fall into his Hands with other Circumſtances; that is, as I apprehend it, before thoſe Treaties be made up. That M. *de Haren*, who excuſed M. *Beverning*'s not coming along with him, becauſe he ſtaid at Home to draw up their Diſpatch to the States, but afterwards, they both ſent me the Secretary of their Embaſſy, to read over to me the Draught of their Diſpatch.

THIS being a deciſive Anſwer on the Part of the *French*, I thought it my Duty to ſpeed it towards you by this Bearer Expreſs; that as far as Wind and Weather will permit, no Time may be loſt to inform his Majeſty, what the Criſis proves to be in this Place; beſeeching GOD to bleſs his Councils upon it. I remain always, *&c.*

L. Jenkins.

Nimeguen, 1ſt July, 1678.

Right Honourable SIR,

ON *Thurſday* the 27*th* paſt, I troubled you by the Ordinary of the Day; and laſt Night I gave you another Trouble by an Expreſs; the Duplicate of my Letter by him (being an Account of the Anſwer the *French* Ambaſſadors gave laſt Night to the *Dutch*) goes here encloſed.

ON *Saturday*, M. *Oxenſtiern* was with me, to give me an Account, (as he was pleaſed to ſay) how his Affairs ſtand with the *Dutch* Ambaſſadors as to the Peace. He had yielded, he ſaid, to the Importunities of the *French* Ambaſſadors, who had deſired him to enter immediately into Treaty with the *Dutch* about the Commerce; he had therefore drawn a Counter Project to theirs, and both Projects are at this Time treated on at the *Hague*, between M. *Silvercroon* on his Side, and certain Commiſſioners that the States have aſſign'd him.

HE complained extreamly of the Injury and Indignity (as he call'd it) that the *Danes* do to the King his Maſter, in ſtopping all Letters and Couriers; he prayed me to renew my Inſtances with M. *Heugh*, telling me, that there will come out 'erelong a juſt Complaint of his King by Way of *Manifeſto*, and that he, M. *Oxenſtiern*, would be forced 'erelong to deliver an Act into my Hands, whereby it ſhall be declared, that he will have no Treaty with the *Dane*.

IN ſuch angry Things as theſe are, he would be content to make uſe of my Function; but in the Matter of Treaty between him and the *Dutch*, he has hitherto made uſe of the *French* for his Mediators; thus, as he takes it, ſaving the Appearances, by giving me an Account, as he hath done ſolemnly once before, of what paſſes between them, but not ſo

ſo much as asking me, whether I have any Orders from his Majeſty to paſs any Offices between him and the *Dutch*; and yet it is not long ſince, that he, and his Collegue before him, made large Profeſſions of their Reliances upon his Majeſty's Mediation, and their Reſolution to depend upon it, tho' we ſhould break with *France*.

On *Friday* I received the Letter incloſed from the Magiſtrates of *Cologn* by their Syndic, and the Copy that goes encloſed in it of Mareſchal *de Schomberg*'s Letter to them, demanding the 50,000 Rix-dollars, that they had ſuffered the *Imperialiſts* to ſeize and diſpoſſeſs the *French* of in *March* 1674. You remember it, Sir, yourſelf very well; this Syndic's Requeſt to me was, that I would deſire the *French* Ambaſſadors here to write to M. *de Schomberg*, to forbear the Military Executions he threatens them with.

I did not refuſe his Motion, but put it to the *French* by Way of Charity, rather than Office; for I knew they would refuſe me, as they did; all their Dependance is upon his Majeſty's Interceſſion with the Moſt Chriſtian King; hoping that his Majeſty will be pleaſed, upon this Occaſion, to ſhew the particular Grace and Protection that he hath of a long Time had for that City. I am, *&c.*

L. Jenkins.

Nimeguen, 4th July, 1678.

Right Honourable Sir,

My laſt was of the 1*ſt* Current; ſince which, I have the Favour of one from you of the 25*th*, and another (juſt come to Hand) of the 28*th*; for both which I moſt humbly thank you.

I perceive by them, that his Majeſty finds himſelf obliged to enter into other Thoughts, and to prepare for different Meaſures upon this new Pretenſion of the *French*; and 'tis all the Diſcourſe of the Allies here, that his Majeſty will take their Part; yet thoſe that wiſh the Breach moſt, are jealous that *England* will do no more but bring about ſome Temperament or other upon the preſent Incident. I beſeech God to bleſs and direct his Majeſty in all his Councils, and that he may meet with ſuch a Satisfaction in the Sincerity and Vigour of the Allies, as may bear ſome Proportion to that Generoſity wherewith he is pleaſed to intereſt himſelf for them and their Cauſe.

M. *de los Balbaſes* giving me the Favour of a Viſit on *Tueſday*, entered into a large Diſcourſe of the Unreaſonableneſs of the *French*, in pretending to detain their Towns, ſince they, the *Spaniards*, had nothing in their Hands that belong'd to *Sweden*; and that *France* doth get from them Things of infinitely greater Value than thoſe they are to leave them; nor was there any Colour to detain the *Spaniſh* Places, as ſome were detained by the *Swedes* after the Treaty of *Munſter*; for that the Caſes are exceedingly different; the Caſe at *Munſter* was, that the *Swedes* being to receive great Sums of Money before they quitted the Places they held, there was a collateral Agreement, that when ſo much was paid by ſuch and ſuch, then ſuch and ſuch Places ſhould be quitted; but in the preſent Caſe, neither the *French* nor the *Swede* have any Pretenſion of Mony or otherwiſe againſt *Spain*, and that they pay exceeding dear for what is to return to them; ſo the Reſtitution ought not to be clogg'd as it is pretended to be.

Another Argument, he ſaid, the *French* had, was to urge the Project which the King our Maſter had entred into with *Holland*, for by it,

it, the *French* were to detain the Places they had in *Sicily*; that he had anſwer'd to this, that *Spain* was in no wiſe a Party to that Project, and conſequently ought not to bind them further than they have a Mind to it; that if the *French* would make Uſe of any Part of that Project to their Advantage, it was fit they ſhould firſt declare their Acceptance of the whole; and then they, the *French*, making the Reſtitution as it was projected by his Majeſty, they, the *Spaniards*, will leave it to his Majeſty, to determine what is fit to remain in the Hands of the *French*.

Another Thing he deſired might be taken Notice of, which was, that there was little Likelihood the *French* intended to keep this Peace any long Time, for they will not allow the *Spaniards* to fortifie St. *Ghillaine*, which covers *Mons*; and they will have *Charlemont* from them, which covers *Namur*; thus in denying them the Liberty of fortifying leſſer Places, which cover their great ones, they ſay as much as if they meant to ſurprize them in a Night; the like Obſervation he had of the Verge of *Mening*, the *French* will needs have all of it, and thereby come upon their own Grounds within a Piſtol Shot of the Palliſades of *Courtray*: His Concluſion was, that it was his moſt humble Suit to his Majeſty, to make thoſe Reflexions he in his Royal Wiſdom ſhall think fit, not only upon that hard Meaſure wherewith ſo many Provinces and Places are torn off from the Crown of *Spain*, but alſo the Deſign that *France* makes already appear ſo viſibly, to invade again, upon the firſt Occaſion, the little that is to be left it by this War.

I was with M. *Heugh* on *Tueſday*, to paſs my Offices with him for the *Swediſh* Letters and Couriers; I found him very difficult, alledging, that the King his Maſter had forbad him to enter into any further Treaty about that Matter, in Regard the *Swedes* had refuſed them, the *Danes*, the Benefit of their common Cartel, when they ſent a Commiſſary with Money in Hand, to ranſome the Priſoners that were taken in the Iſle of *Rugen*; all he could promiſe to do was, he ſaid, to write again to his Court upon this new Inſtance of mine.

This Morning M. *Heugh* was with me, to tell me, that ſince there were Deputies come to Town from the City of *Hamburgh*, he did, according to the Orders he had had, come to me, in order to oppoſe their Admiſſion into this Aſſembly, and deſired me not to receive them as ſuch; it being notoriouſly known what juſt Pretenſion the King his Maſter hath upon that City, and how their Admiſſion was oppoſed at the Treaty of *Breda*, and that the *Daniſh* Miniſters were there heard, and the Admiſſion to the *Hamburghers* refuſed; that if they had any Thing to do in this Aſſembly, it became them to addreſs themſelves to him, as the King of *Denmark*'s Miniſter, and he ſhould not be wanting to do what ſhould be his Part.

I acquainted him with ſome Steps that my Collegues and I had made a good while ſince, at the Requeſt of that City, *viz.* that upon ſeveral Letters from the Magiſtrates, under their Publick Seal, we had paſs'd Offices with the *French* and *Swediſh* Ambaſſadors, for Paſſports for their Deputies to come hither; that we had given an Account of this to the King our Maſter, and that he was pleas'd not to diſapprove of what we had done; therefore all I could do would be to repreſent, with all Humility, this Inſtance of his, to his Majeſty, and to receive his Orders thereupon; that if in the mean time thoſe Deputies ſhould come to me, I muſt receive them, as I do others that come with Character to this Aſſembly.

He

He told me, he thought they would firſt apply themſelves to the *Imperialiſts*, before they did it to me, as M. *Schutz*, a new Miniſter come from *Lunenburgh-Zell* hither, hath done this laſt Week; for he hath ſeen not only the *Imperialiſts*, but all the Miniſters in Town: M. *Heugh*'s Grievance, that made him tell me this of *Schutz* was, that he viſited the *French*, that are his adverſe Parties, before him: I ſhall humbly beg a Word of Directions (if you think fit) touching theſe *Hamburghers*; in the mean time, in Regard of the Poſſeſſion they are in as a *Hanſe* Town, and of their having Miniſters with his Majeſty, and other Treatments in the Quality of Soveraigns, I ſhall only tell them what M. *Heugh* hath told me, but ſhall make no Difficulty to paſs my Offices for them, as I do for other Parties, in all Matters relating to my Function, till I have Orders to the contrary.

In this Converſation, M. *Heugh* confirms me in what M. *Stradtſman* told me laſt Night, that the *Dutch* Ambaſſadors had had Orders to go and ask the *French*, whether the Declaration they had made on *Sunday* laſt, (that the King their Maſter would detain thoſe Towns) was the final Anſwer or not?

M. *Beverning* having already put this Queſtion to them by himſelf, and of his own Head, he and his Collegue did not think fit to repeat it again, but adviſed their Maſters, that the *French*, when M. *Beverning* put the Queſtion to them, did and would perſiſt.

M. *d'Odyike* putting the ſame Queſtion to them on *Tueſday* Night (by the by) at M. *Heugh*'s, receiv'd the ſame Anſwer; but whether the States will have this Queſtion put to them again in Form, or not, is not yet known. I am, *&c.*

L. Jenkins.

Nimeguen, 8th July, 1678.

Right Honourable Sir,

Since my laſt of the *4th* Current by the Ordinary, I have the Favour of one from you of the *2d*, and humbly thank you for it, ſince you are pleaſed to let me ſee, that the little Incidents and Diſcourſes that I pick up here, and that I trouble you with, are of ſome Uſe to you there; I ſhall go on as you are pleaſed to order, and beg your Pardon aforehand for what you ſhall find to be impertinent.

The Elector of *Brandenburgh* having lately given his Orders to his firſt Miniſter M. *Schwerin*, what he would have him to write to his Miniſters here and at the *Hague*, M. *Schwerin* writ a *Billet* to the Elector, beſeeching his Highneſs to let him have in Writing the Subſtance of what he, being in Counſel, had ordered him; the Elector thereupon underwrites, that it was his Meaning to enter into a Ceſſation, and to make a Peace with *France*, and that his Miniſters ſhould do their Part in order to it; but that nothing of this was to be extended to *Sweden*, his Meaning being to continue the War againſt it, or to that Effect. M. *Schwerin* ſent this *Billet* hither, and M. *Blaſpiel* hath ſhewn it M. *Heugh*, under the Elector's own Hand, which is a great Confirmation to the *Danes*, that the Elector is firm for the War; but his General on this Side, M. *Spaen*, is cried out againſt by M. *de los Balbaſes* (eſpecially), and ſpoke of as a very unfit Man by the reſt of the Allies.

On *Friday* M. *Oxenſtiern*, when I was with him about the Paſſage of his Letters and Couriers, told me, the Moſt Chriſtian King was immoveable in the Point of detaining the Towns; and that he holds the ſame Lan-

Language to the *Swediſh* Miniſter at St. *Germains*, as his Ambaſſadors here do to him M. *Oxenſtiern*; that King not comprehending, he ſays, what Temperament can be offered in this Affair, and finding much Fault with the *Dutch* that they do ſtand off, and not come to the Temperament that M. *Oxenſtiern* hath offered them about the Treaty of Commerce (which is, to finiſh it within a Time to be limited in the Treaty of Peace); that being an Argument with the Moſt Chriſtian King, that the *Dutch* are backward, as well as the *Northern* Allies, to make up their Peace with *Sweden*. For the Commiſſaries and M. *Silvercroon* at the *Hague* met, he ſaid, but did nothing.

On *Saturday*, I was, at the Inſtance of the *French* Ambaſſadors, to paſs my Offices with the *Imperialiſts*, for the Admiſſion of M. *Ducker*, but they adhere to their firſt Reaſons: They expreſs'd in this Converſation, a great Hope and Longing to hear of his Majeſty's having declared, and being entered into the War.

In the Evening I acquainted Meſſieurs *Colbert* and *d'Avaux* with their Anſwers about M. *Ducker*; and this was the firſt Occaſion that M. *Colbert* took to enter into Diſcourſe with me about the Incident of the Towns: The King his Maſter, he ſaid, would be deprived (if he gave up the Towns) of the only effectual Means to preſs the *Northern* Allies; they were ready to ſign the Treaty as it was firſt drawn up and agreed; it was the *Dutch* Ambaſſadors, and not they, that did innovate; and ſo able a Perſon as M. *Beverning* and his Collegue would not have let the Time of voiding the Towns to ſtand (as it is in the Project) indefinite, but would have fix'd it; only they ſaw that was a String not to be touch'd; for they muſt needs believe, that the Moſt Chriſtian King would not quit ſuch a Hold till his Allies were ſatisfied.

Last Night at 7, the *Dutch* Ambaſſadors call'd upon me to acquaint me, how the *French* Ambaſſadors had been with them at their Houſe at a Conference, and had left with them a Paper of ſome Length; they told me, I ſhould have a Copy of it, as ſoon as they could get it wrote, they would not therefore enlarge upon the Contents, but refer me to the Writing itſelf. I ſhould find the firſt Part, they ſaid, to be a Juſtification of the King their Maſter's Proceedings, which they judge to be very weak; the other, to be an Invitation to the States, to enter into Deliberation with the Moſt Chriſtian King, of the Means to reſtore *Sweden* to its Loſſes; in order whereto, it was propoſed, that either the *Dutch* Ambaſſadors ſhould be inſtructed to treat it here with them, the *French*; or elſe, that they would ſend a Miniſter to the *French* Court; or, if that were not liked of, that they would ſend Commiſſaries to *Ghent*; it being indifferent to him what Manner of Negotiation or Expedient ſhould take Place, provided it be certain and expeditious.

They mentioned two Expedients; either that the States ſhould oblige themſelves, that *Sweden* ſhould be entirely reſtored; or elſe, that they ſhould take upon them to deal with their Allies in order to it; but withal give Aſſurance to the Moſt Chriſtian King, that it ſhould be with Effect, and to the full Satisfaction of *Sweden*. This is all the Account the *Dutch* Ambaſſadors gave me out of the *French* Paper; telling me, that as they had been with as many of the Allies as were in Town, ſo they were come to me, to know what I had to ſay upon ſuch a Declaration: When I had told them, I had nothing to ſay upon it, but that I would give an Account of it to Court, humbly referring myſelf in the mean time to what his Majeſty may have made known of his Pleaſure, as to all Incidents of this Kind, to his Ambaſſador now arrived at the *Hague*: M. *Beverning* replied ſmilingly upon me, that tho' I would ſay no-

nothing upon this, yet they expected I ſhould ſay ſomething upon the new Treaty made between *England* and *France*; the *French* Ambaſſadors having told them in this Conference at parting, that *France* had nothing to apprehend out of *England*, *en etant aſſuré par des Traitez*, inſinuating, ſaid he, rather than ſpeaking out, that *England* had obliged itſelf by Treaty, not to ſtir againſt *France* upon this Occaſion.

It is now full Noon before that the *Dutch* Ambaſſadors ſend me the *French* Paper, and it will be with much ado, if Mr. *Chudleigh* can get a Copy by that Time the Poſt goes; yet we have it from the *French* Domeſticks, that it went to the Preſs laſt Night, and will be out in Print about that Hour. A Gentleman telling me the News of this Paper laſt Night, ſaid it was, *le troiſieme Confirmatif* of the Reſolution of *France*, and that if it did not meet with a good Reception, the *French* Ambaſſadors would in a few Days give in another by way of *Manifeſto*, and go their Ways hence immediately upon it. 'Tis obſerved by ſome, that they make no Manner of Proviſion for their Houſes, but live as if they were already upon the Wing. I am, *&c.*

L. Jenkins.

Nimeguen, 11*th July*, 1678.

Right Honourable Sir,

My laſt was of the 8*th* by the Ordinary, ſince which I have not any from you to acknowledge.

At the Aſſembly of the Allies on *Monday*, there paſs'd little; only M. *Beverning* gave them an Account of what had paſs'd between them and the *French*, when the Memorial was given them by the *French* on *Sunday*; he put three Queſtions to them, the firſt was, what ſhould be the Matter propoſed to be treated between the *French* and the *Dutch*, either at *Ghent*, or at the *French* Court? To this they anſwered, it was the Peace of the *North*. The two other Queſtions were, what the Armies ſhould do in the mean while, and particularly what ſhould become of *Mons?* Upon theſe two Queſtions, they ſaid, they were not yet inſtructed, at leaſt thoſe Points were not to be reſolved, till it ſhould be known, whether the *Dutch* will accept of the Propoſal, that is, whether they will treat or not? His Concluſion was, that the *French* Memorial was but an Amuſement, nor did any of the Company ſpeak further upon that Matter.

On *Tueſday* M. *Oxenſtiern* was with me, to deſire that his Majeſty might be humbly moved to interpoſe his good Offices in the Behalf of the King of *Sweden* in this preſent great Conjuncture. He began with telling me, that he took it for granted, I was acquainted with the Declaration the *French* Ambaſſadors had made on *Sunday* laſt to thoſe of this State, letting them know, how ready the Moſt Chriſtian King their Maſter is, to enter into any Expedient, in order to the finiſhing of that Peace, (that was ſo near its Accompliſhment) and to the bringing on of a General one between all the Parties in War; provided the Expedient be ſuch a one as carries along with it an Aſſurance that *Sweden* ſhall be reſtored.

As the Moſt Chriſtian King had not thought, he ſaid, of detaining the Towns but for that End, ſo he, M. *Oxenſtiern*, would be very joyful, and contribute the utmoſt on his Part, to avoid and prevent thoſe Difficulties that will otherwiſe follow, in caſe thoſe Towns are to be detained, and that ſome Expedient be not laid hold on. He did not ſpecify

ſpecify any Expedient, but enlarged upon the great Affection that his Majeſty has ſhewn all along to the King of *Sweden*, and the Care he hath profeſſed to have of his Intereſts.

THIS Inſtance, tho' it went no further than theſe general Terms, was very ſolemn and formal; he requeſting me not only to make my humble Repreſentation of it to his Majeſty, but alſo to write out of Hand to Sir *William Temple*, to deſire his good Offices, which M. *Oxenſtiern* hopes will be conformable to his Majeſty's Intentions in Favour of *Sweden*, and will be of great Effect in the Heat of thoſe Conſultations they are now upon at the *Hague*.

YESTERDAY came to me a Gentleman, and delivered me the *Latin* Letter that goes incloſed from the Duke *de la Tremoille*; he produced alſo a Procuration from him to appear here, and to demand that the Duke may be reſtored to the Kingdom of *Naples*, to which he hath a Right by Deſcent from *Frederick d'Arragon*, the laſt (as he ſays) rightful King of *Naples*; *Ferdinand* the Catholick, and thoſe that ſucceeded him, being but Uſurpers.

I told him, that as this was a very arduous Point, ſo if he had any Thing to deſire of me by way of Inſtance or Office, more than the giving an Account to his Majeſty of his having been with me, and of tranſmitting the Procuration and the Deduction that goes incloſed, I ſhould not be able to comply with his Deſires, till I knew his Majeſty's Pleaſure, and received his Orders upon it; for beſides that the Buſineſs is of an extraordinary high Nature, ſo the Commiſſion we had from his Majeſty was limitted; and we were not to exerciſe the Function we had the Honour to ſerve in here, but in thoſe Caſes and Matters only that had given Occaſion to the War, or elſe thoſe that may be the Cauſe of continuing it, unleſs they be compoſed or removed; with this he ſeem'd to be ſatisfied, and ask'd no more of me, but to lay the Thing in all Humility before his Majeſty.

HE told me, the Grandfather of the preſent Duke had put in his Claim at the Treaty of *Munſter*, but could not tell whether he obtained any Thing in Favour of his Title: He left with me two Books, the Title of the one is, *Traité du Droit Hereditaire appartenant au Duc* de la Tremoille *au Royaume de* Naples: The other is, *Tiltres juſtificatifs du Droit appartenant au Duc* de la Tremoille, *en la Succeſſion Univerſelle de* Frederic d'Arragon, *Roy de* Sicily, Naples, Hieruſalem, *&c.*

THIS Morning the Deputies of *Hamburgh* ſent to know of me, when they might come and ſpeak with me; M. *Heugh* had taken Care two Days ago (out of his abundant Kindneſs for them) to let me know, they had viſited the Biſhop of *Gurck*; this obliged me to order my Secretary that ſpoke with the Meſſenger, to take Notice to him of their having viſited other Ambaſſadors, whereas that Reſpect was due in the firſt Place to his Majeſty's Miniſters, as the Mediator univerſally received; the Anſwer that the Meſſenger gave was, that the Viſits his Maſters made were *en Amis*: I ſent him Word, that before I could ſee them, I muſt wait for his Majeſty's Pleaſure, whether ſuch Viſits *en Amis*, are a Prejudice to his Majeſty's Right, as 'tis ſettled by this Aſſembly: There is this in their Caſe, that they have not the Plea of ſeeing their Co-Allies, and conſulting with them about the State of their Affairs, for they are no Parties in this War: I, on the other Side, conſidering the Embarraſs I am in with Count *Antoine* and M. *d'Odyike*, could do no otherwiſe than refuſe them; but foreſee I ſhall be at the ſame Lock 'ere long with the Deputies from the Elector of *Cologn*, Duke of *Newburgh*,

and City of *Liege*; for I preſume they will ſee the *Imperialiſts* firſt, upon Pretence of their Union with the Emperor.

I came juſt now at Noon from the *Dutch* Ambaſſadors, who tell me of an Anſwer to the *French* Memorial (which came out here in Print on *Tueſday*, as you ſee by the incloſed) that will come out from the States; and that there is great Probability that all the Provinces will give into the Prohibition of the *French* Commerce; *Zealand* having declared it will be contented to have the Coaſts watch'd, that nothing of *French* Growth do enter in, provided *Holland*, and the other Provinces, do give them the Reciproque.

Poſtſcript.

11 July, 1678.

AFTER my Diſpatch was gone to the Poſt Houſe, the Letter that goes herewith encloſed, was brought me from the *Hamburgh* Deputies; I took leave to anſwer it, as you'll find in the ſame Paper; and you'll find by both, we ſhall want your Deciſion. I am, *&c.*

L. Jenkins.

Nimeguen, 15th July, 1678.

Right Honourable SIR,

SINCE my laſt, which was of the 11*th*, we have no Letters come out of *England* to this Place.

THE Syndic of *Cologn* delivered me the Letter incloſed, humbly addreſſed from thoſe Magiſtrates to his Majeſty, upon whoſe gracious Protection they profeſs to rely altogether in their preſent Streights.

M. *de los Balbaſes*, in a Viſit he favour'd me with yeſterday, told me, he brought me a Complaint againſt the *French*, for the unfair Proceedings in Demoliſhing, as they have begun to do, the Outworks of *Coutray*, *Oudenarde*, and *Charleroy*; having born the World in Hand, that they would reſtore thoſe Places fortified as they were. He did not, he ſaid, deſire me to paſs any Office with the *French* about it, in Regard I had not meddled with any of their Proceedings upon this new Foot; but he had been, he ſaid, with the Nuncio, to charge him with it, for that he had brought to him (and ſo to the *Imperialiſts*) the *French* Memorial of the $\frac{7}{17}$*th* Current; wherein there is, ſaid he, a Flouriſh made of ſo many important Places that are to be rendred to *Spain*; but if they be diſmantled, as the *French* intend, they will not be of half that Importance: This he deſired might be humbly laid before his Majeſty; as alſo the unequal Dealing of the *French* in the following Point.

IT is not long ſince that the *French* Ambaſſadors have given it in here, as a Demand of the King their Maſter, that the *Sicilians* that had left their Country, and were come over into *France*, ſhould be comprehended in the Treaty; and ſhould not only have an Act of Oblivion for what they had done, but alſo Liberty to diſpoſe of themſelves and their Eſtates: Now the *French* proceed by no ſuch Meaſures with the Subjects of *Spain* in the *Netherlands*; for they are not content to poſſeſs and enjoy their Eſtates (ſuch as lie within the Conqueſts of *France*) while they adhere to their King, but they are now upon ſelling away and alienating all their Eſtates in Lands, and cutting down their Woods without further Delay: Yet *France* having no Colour of Crime againſt them, ſaving that of adhering to their natural Liege Soveraign; the

the utmoſt it can do, according to the Rules of War, is to enjoy the Profits of their Lands for the preſent; however, they ſtrip them not only of all at preſent, but of all Hopes to come by their own again; and yet in the mean Time, they will have the *Sicilians*, who have by all Laws forfeited their Eſtates, as being Rebels, and guilty of high Treaſon againſt their King, to be reſtored notwithſtanding to their own again.

He told me, but in Confidence, that the King his Maſter had not approved of the Steps the Duke *de Villa Hermoſa* had lately made with ſo much Haſte towards a Peace; he would let me ſee he ſpared him, in ſaying only, that he was not approved, and did as good as ſay, he had a Reprimand for it. He let fall ſome Words, as if this Aſſembly would probably break up, if the War went on, and *England* took Part in it; it being a Place, he ſaid, that the *French* had too great an Advantage by, in Regard of the eaſy Communication they had with all this Country; therefore he would have the next Aſſembly to be further off from the Province of *Holland*, and the City of *Amſterdam*.

M. *d'Olivenkrantz* returned hither on *Saturday* Night, having made two or three Days ſtay at the *Hague*. I was to viſit him yeſterday, and found he expected the Anſwer of the States to the laſt *French* Memorial to come out, for by that a Gueſs may be made, he ſaid, whether there would be any Place left for a Temperament or not.

I take leave to encloſe a Memorial that M. *Blaſpiel* gave in on *Thurſday* laſt to the *Dutch* Ambaſſadors, taking notice, with ſome Sharpneſs, of what concerns the Elector his Maſter in the *French* Memorial of the $\frac{7}{17}$*th* Current, and expreſſing his Confidence, that the States will not abandon an Ally, that hath been ſo uſeful and faithful to them, as the Elector has been; none of the other Allies have given Memorials upon this Occaſion, nor do they think of doing it, as M. *de los Balbaſes* tells me: I can hear of nothing of Moment that paſs'd in their Aſſembly on *Thurſday* laſt, the great Expectation here being what will be finally reſolved on at the *Hague*.

Having made a Step, before I cloſe, to the *Dutch* Ambaſſadors, they tell me, it was but yeſterday that they received the Materials of an Anſwer which the States direct them to make to the aboveſaid *French* Memorial; they cannot be ready to deliver it to the *French* till late this Night, or elſe to Morrow; then they muſt ſend it to the States before it be publiſhed, but they promis'd me a Part of it with the ſooneſt; they complain of the Way of Proceedings that the *French* perſiſt in, having ſent their Memorials in ſeveral great Pacquets to all the Towns in *Holland*: They thought the Prince is gone by this Time to the Army, and that all was agreed on betwixt Sir *William Temple* and the States. The Prohibition of the *French* Trade, they ſay, is to be but for 12 Months, but not to be ſtipulated as an Article. The Time of having the Moſt Chriſtian King's laſt Anſwer was left in Blank when their laſt Advices came away, and to be adjuſted with Sir *William Temple*; this was all they were pleaſed to tell me. I am, *&c.*

L. Jenkins.

Nimeguen, 18*th July*, 1678.

Right Honourable Sir,

Since my laſt, which was of the 15*th* Current, I have the Favour of one from you of the 12*th*; and with it an additional Inſtruction under

under his Majeſty's Royal Hand, touching the Pretences of ſeveral Princes in this Treaty, and what my Collegues and I are to do upon them, when we are called upon here; the ſame Pacquet brought me 17 ſeveral Pieces (Memorials and other Documents) given in on that Side: Which gives me Occaſion to lay before you the Caſes of ſome other Princes, who ſeem to me to be within the Meaning and the Equity of his Majeſty's Inſtructions to us, tho' the ſtrict Letter does not ſeem to have taken them in.

They are the Dukes of *Deuxponts*, the Duke of *Mecklemberg-Schwerin*, (I do not mention him of *Guſtrow*, for his Miniſter ſhow'd me, as he paſs'd this Way from *England*, a ſufficient Declaration of his Majeſty's Pleaſure) and the Counts of *Naſſaw-Sarbruck*; theſe have Miniſters now, or had them lately, upon this Place; and they having given me Memorials of their Pretenſions a good while ſince, I could not but charge my ſelf with them, and promiſe to lay them in all Humility before his Majeſty. I do not find that they have made any other Applications to Court; yet we ſhall hear of them as well as of the other Princes hereafter; therefore I ſubmit it to you to diſcover, if you think fit, whether it be his Majeſty's Pleaſure to extend his additional Inſtructions to thoſe Princes, as well as to the other, notwithſtanding they have made no Applications at Court. I do not mention here the Duke *de la Tremoïlle*, for I believe it will be his Majeſty's Pleaſure that we ſhall ſay nothing at all in Anſwer to any Inſtance that his Miniſter ſhall make, but that we have no Orders to intermeddle in any Pretenſion or Controverſie of that Kind.

I take leave to ſend you herewith encloſed, the Anſwer that the *Dutch* Ambaſſadors gave to the *French* Memorial of the $\frac{2}{17}$*th* Current, they gave it in to the *French* Ambaſſadors on *Tueſday* laſt at Noon, who were obſerved to receive it with much Civility and Moderation, not giving any other Anſwer (that I can hear of) but that they would ſend it to their Court.

You will find it ſomewhat long, for they deduce in it the whole Matter of the Negotiation between them and the *French*, and quote at large the Moſt Chriſtian King's Letter of the 18*th* of *May*, 1*ſt* and 30*th* of *June*, *N. S.* laying upon thoſe Letters the main Streſs of their Reaſoning, and inferring out of them, that there being nothing elſe required of the States as a Condition on their Part, but to enter into a Neutrality as long as a War ſhould laſt between their Allies and *France*, it was not to be imagined, but that they entring into the Peace, by conſenting to that Neutrality, were to receive all the Benefits of it, as ſoon as it ſhould be conſummated by the Exchange of the Ratifications and the Publication; which Benefits they could not be ſaid to receive, without having the Places evacuated, and put into their Power.

Other Arguments they have taken from the Nature of the Thing itſelf, as that it cannot conſiſt with a Neutrality, that any of the Places belonging to Neuters ſhould be left to the one Party to be made uſe of againſt the other; and they ſay it is no Argument that the *French* ſhould retain *Maeſtricht*, and the other Places, becauſe they can with more Convenience and Advantage preſs the Elector of *Brandenburgh*, and the Biſhop of *Munſter*, by having the Uſe of thoſe Places; for then it would follow, that becauſe the States have now in their Poſſeſſion other Places yet more convenient to preſs thoſe Princes with, that therefore they ſhould have the Uſe of thoſe alſo, which never enter'd into any Man's Thoughts; and yet the States, and ſo the *Spaniards*, are to be veſted by this Treaty (as 'tis worded) in as clear and

full

full a Right of the Places that are to be reſtored to them, as in thoſe they are already poſſeſs'd of.

As for the Expedient propoſed in the *French* Memorial, they offer to do their beſt Offices to make up the Peace in the *North* in an amicable Way, if that be the Meaning in the Memorial; but if it be meant they ſhould uſe Force or Conſtraint to bring the Parties to agree, they cannot do it, for the Reaſons obvious to every body. That which hardly would have been expected, and is very ſurprizing in this Anſwer is, that in the cloſe of all their ſtrong Reaſoning, theſe Ambaſſadors offer to conclude and ſign the Peace, moſt earneſtly deſiring the *French* Ambaſſadors to concur with them in it; and the Peace offered to be ſigned is the very ſame, Word for Word, with that which was projected before the 30*th* of *June*, *N. S.* and no Condition or Limitation ſpoke of, but that ſingle one of evacuating the Towns; it being clearly inſinuated, that if that be ſtipulated, the States will accept the Neutrality that *France* propoſes, and will make up the Peace.

M. *Stradtſman*, on *Tueſday* in the Evening, told me, the *Dutch* Ambaſſadors had at Noon offered themſelves to the *French*, to ſign the Peace; his Reflexion upon it was, that the Peace, in all Probability, will be made up upon this Offer; and that all the Parties muſt afterwards give into it, tho' it be a very bad one: The Emperor, for his Part, if the Neceſſity of the Allies did ſo require, would, he ſaid, enter into it too; but if they ſhould continue the War, he would go on as a very zealous Ally.

When he told me this, he had an Account that the *Dutch* had made this Offer; but M. *Chriſtine*, who had favour'd me with a Viſit but a few Minutes before, did ſpeak all that could be, with Regard to his Majeſty's Generoſity in entering into thoſe Meaſures, which he thought would end in a War; and ſays, the King of *Spain* was to uſe his utmoſt Effort to give *England* Content.

But viſiting M. *de los Balbaſes*, as I did yeſterday, he ſpoke himſelf to be clearly of Opinion, the *French* would accept of the Offer the *Dutch* had made, and ſeemed to ground himſelf upon ſome Information he had, ſince the *Dutch* gave in their Anſwer: I dare not take upon me to ſay, his Information is from the Nuncio; but I am told this Day by M. *Petcum*, that the Nuncio gives out, the Peace will be made very ſuddenly.

M. *de los Balbaſes*, notwithſtanding what he told me ſome Days ago, that the King his Maſter had not approved of the Steps that the Duke *de Villa Hermoſa* had made towards this Peace, ſeemed to look upon it now as a Thing not to be refuſed by them the *Spaniards*, comforting himſelf, that in caſe the Peace went on, they, the *Spaniards*, would not be put upon the unreaſonable Thing of procuring the Biſhop and States of *Liege* to make over *Dinant* to the *French*.

But that which hath moſt Reflexion with me is, that ſince they, the *Dutch*, had given their Anſwer to the *French*, M. *d' Eſtrades* had been with him, to deſire him that he would take the Opportunity of a Viſit that M. *d' Olivenkrantz* intended to give him, to preſs him all that was poſſible, and (by that Means) his Collegue M. *Oxenſtiern*, that they ſhould not exact of *France* to procure for *Sweden* entire Satisfaction, but that they would conſider how low that Crown is at this Time, and how great a Purchaſe it would be to preſerve its Footing in *Germany*, with the Loſs of ſomething of its own. That he, M. *Beverning*, had hereupon preſs'd the Thing cloſely to M. *d' Olivenkrantz*, and that the greateſt Difficulty ſeems to be on the *Swedes* Side, that theſe Ambaſſadors

dors are not inſtructed in that high Point. M. *Beverning*'s Concluſion to me was, that he thought the *French* would frame themſelves to evacuate the Places; if ſo, the Peace is as good as certain.

The *French* Ambaſſadors, on the ſame Evening they received the Anſwer of the *Dutch*, had a Conference with the *Swedes*, to repreſent unto them, how neceſſary it was they ſhould yield ſomething in thoſe Points, and not put *France* upon thoſe great Difficulties; to this the *Swedes* took Time to anſwer, but what their Anſwer was, M. *Beverning* did not know; only we gueſs, that ſince the *French* ſent not away by their Courier the Anſwer that the *Dutch* had given them till yeſterday, that they ſtay'd for the Anſwer of the *Swedes* to ſend along with it.

M. *Petcum* told me this Day, of a Project that is talk'd of in Town, and ſaid to be M. *d'Olivenkrantz*, upon what Grounds he did not ſay, that *Wiſmar* ſhall remain to *Denmark*, the hither *Pomerania* to *Brandenburgh*, *Verden* to the Houſe of *Lunenburgh*, and that the Biſhop of *Munſter* ſhall have Money; but it is extreamly improbable that any ſuch Diſcourſe, much leſs Project, ſhould come from M. *d'Olivenkrantz*; for he has told M. *Beverning*, they knew nothing of the King their Maſter's Mind in this Caſe; but M. *Beverning* replied upon him, (as he told me this Day) that they cannot be without Orders to ſome ſuch Effect, ſince he, M. *d'Olivenkrantz*, having made a Journey laſt Winter to his King, he muſt then have made Account, and ſo muſt his Court too, to part with ſomething that was their own for redeeming the reſt. I remain, *&c.*

L. Jenkins.

Nimeguen, 22th July, 1678.

Right Honourable Sir,

Since my laſt, which was of the 18*th* by Expreſs, I have the Favour of one from you of the 16*th*, for which I humbly thank you.

On *Friday* the 19*th*, the *French* Ambaſſadors took an Audience of the *Dutch* at 5 in the Afternoon, and delivered them the Memorial that goes herewith incloſed; I was not able to get a Copy of it till 11 on *Saturday*, (which was from a private Hand) and ſent it away immediately by an Expreſs to the *Hague*, leaſt the Penſioner ſhould be as ſlow in communicating it to Sir *William Temple* there, (where it is to have its main Operation) as the *Dutch* Ambaſſadors were to give me Part of it here; for I cannot but obſerve unto you, that when the *French* gave in their Memorial of the $\frac{7}{17}$*th*, the *Dutch* were pleaſed to come preſently and give me Part of it; but this new one lay full 24 Hours in their Hands, and the Contents of it was commonly known about the Town, before they ſpake to me of it, but ſent it by Expreſs to the *Hague* as ſoon as they received it. What they told me, when they left with me a Copy of it on 6 a Clock on *Saturday*, was, that they had obſerved unto the *French*, it was the ſame in a Manner with the laſt Memorial, ſaving that in this it is not propoſed, as it was in the laſt, that the Difficulties between them ſhould be Treated at *Nimeguen*, the Propoſal of Treating it at *Ghent* by Deputies, is the ſame in both, and the deputing to the Moſt Chriſtian King, (which is the 3*d* Way propoſed) hath no other Difference in it, but that their Way would be ſomewhat ſhorter, if they ſhould be ſent to St. *Quintins*, than if they were ſent to St. *Germains*.

Another

Another Thing the *Dutch* Ambaſſadors obſerved upon it was, that if the ableſt Man among them ſhould be deputed, he would not be able to ſay any Thing upon any Expedient or Propoſition that the King ſhould make, he muſt have Recourſe to his Maſters, and ſo a great deal of Time would be ſpent. Beſides, none of the Allies of the *North* would be preſent, and it would be hard to conclude them without hearing; thus they reaſoned, they ſaid, with the *French* Ambaſſadors, upon this Memorial.

M. *Beverning* ſeem'd to think, that the Inclinations that ſome Towns had lately diſcovered, of complying with the laſt *French* Memorial, ſo far as to depute towards the Moſt Chriſtian King, is the Occaſion of this new Memorial, thereby hoping to drive that Nail further; but he and his Collegue confeſſed, it is now no more an *entire Thing*, ſince the Treaty is concluded with *England*. They told me, that ſome Towns were ſo hot for deputing to the Moſt Chriſtian King, that the Penſioner could think of no better Way to ward off that Blow, than the propoſing to have M. *Boreel* ſent hither to the *French* Ambaſſadors; and that is the true Occaſion of his coming hither.

They brought him on *Friday* at Noon to his firſt Audience to the *French* Ambaſſadors, and yeſterday he viſited them ſeverally; but they have not been pleaſed to tell me what his Propoſition was: The Courier that arrived here on *Friday* at Noon, with Inſtructions for this new Memorial, or rather with the Memorial itſelf, brought ſome Thouſands more of Paſſports for Ships along with him; the Pretence is, to equal the Number of thoſe that the *Dutch* Ambaſſadors have ſent them from the *Hague*: The *French* Domeſticks did give out on *Saturday*, that the *Dutch* will depute; that *Ghent* will be the Place, and M. *de Louvoy* the Perſon on that Side.

On *Saturday* Night, or rather yeſterday Morning, (for it was paſt Midnight) there was a great Rout and Fighting in the Streets between the Footmen of the *French* and *Spaniſh* Ambaſſadors.

M. *de los Balbaſes*, his Lady and Daughter, going Home about two a Clock in the Morning from M. *d'Odyike*'s, where they had had an Entertainment; their Footmen were fallen upon (as the Story is told on that Side) by the *French*.

The *French* Ambaſſadors ſay, all their Footmen were within Doors, till there were ſeveral Piſtols and Carbines ſhot at the Mareſchal's Gate, which gave them Occaſion to go out and repulſe that Violence; ſome have been wounded, they ſay, on both Sides; and more Miſchief would have been done, but that the Gentlemen belonging to the *French* Ambaſſadors did their Parts very well in reſtraining their People.

The three *French* Ambaſſadors came to my Houſe yeſterday, and M. *Colbert* made the Relation, whereby they made the *Spaniards* to be Aggreſſors, their Lacquies coming with Fire-Arms, and other Arms under their Coats, to M. *d'Odyike*'s Houſe, aggravating the Danger they are in of Affronts, from their being in an Enemy's Country, and eſpecially at a Place, where the adverſe Party outdoes them very much in their Numbers.

What I had to ſay to them was, (having firſt told them how ſorry I was for the Accident) to obſerve and preſs to them *two Articles*, in the general Reglement that his Majeſty had directed to be propoſed, and are long ſince eſtabliſhed by a general Conſent for the Peace of this Place; the *one* was, that no Footman, or Page, ſhould wear any Sort of Arms; the *other*, that when any of the Ambaſſadors Servants ſhould inſult the Servant of another Ambaſſador, that the Maſter of him that in-

inſulted, ſhould ſend his Servant to the other Ambaſſador, to puniſh and order him as he pleaſed.

To the Execution of this laſt, they are obliged, I told them, as ſoon as they came to know who the Aggreſſor, and where the Fault was; 'tis true, this muſt be left to themſelves to judge of, from the Circumſtances and Informations they ſhall pleaſe to give heed to, ſince there is none that can pretend Jurisdiction to examine and judge in this Point; ſo that in this I could go no further than mind them of their Engagements; but as to the Point of prohibiting their Domeſticks to wear Arms, I thought myſelf well founded to preſs it further, and to demand of them the due and ſtrict Obſervation of that Article; and as it is in itſelf of the utmoſt Importance it ſhould be well look'd to at all Times, ſo at this Time moſt of all; and that nothing that hath happened by this unlucky Rencounter, can in the leaſt diſpenſe them from obſerving it for the future as much as ever. For, as I told them, if either of the Parties will go arm'd, the other will do the ſame, and then all other Ambaſſadors will arm likewiſe for their Security. The Neutrality thus ceaſing, we are not ſecure one Moment, but that Hoſtilities will break out, not only afreſh between thoſe Parties, but between others too, either as taking Part, or upon particular Rencounters of their own.

I went ſtrait, as ſoon as they were gone, to M. *de los Balbaſes*, to preſs theſe two Articles, and from him to M. *de la Fuente*, (notwithſtanding the Difficulty between him and me in Point of Ceremony) but I behaved myſelf with him, juſt as I had done upon the like Occaſion with the *Brandenburgh* Ambaſſador, not ſending to take an Hour of him, but going ſtrait to his Houſe, nor ſo much as ſitting down while I talk'd to him; this I did, becauſe I found his Majeſty was pleaſed to approve of theſe Circumſtances in my Addreſs to the *Brandenburghers*.

I found M. *de los Balbaſes* to have a great Reſentment of the Thing, and to have had Information, that the *French* had poſted themſelves in ſeveral Avenues, expecting his coming by; this he aggravated, as you may imagine, ſince none could be ignorant that his Lady, and Daughter that is big with Child, was with him in the Coach. Beſides, I perceive there is ſome *Broüillerie* between the Women, and there had been ſome Affronts given to ſome of his People at M. *Colbert*'s, ſome few Days ago, which was patch'd up by the Nuncio, but, it ſeems, not ſo fully to his Satisfaction.

M. *de la Fuente* (of whoſe People the *French* complained moſt, as having ſhot at the Mareſchal's Door) would not ſeem to be concerned at all in the Thing, telling me, his People came Home quietly with him, and had no Part in that Scuffle.

In this Poſture is this unhappy Buſineſs at this Time; I muſt confeſs I do not like the Countenance of it, but am going about to ſee what can be done to hinder the arming, which I am adviſed the *Spaniards* are upon; I have been already twice with the *Dutch* Ambaſſadors about it, and am now going again to adviſe with them, and the Magiſtrates. I am *&c.*

L. Jenkins.

Nimeguen, 25th July, 1678.

Right Honourable Sir,

SINCE my laſt, which was of the 22*d*, I have none from you to acknowledge.

On

On *Tueſday*, the *French* Ambaſſadors received a Courier in the Morning, as M. *Beverning* was pleaſed to acquaint me, telling me, they had in the Forenoon ſent him and his Collegue the Extract of a Letter that M. *Pompone* had written them, of the $\frac{18}{28}$*th* Current, the Contents whereof were, that the *French* Ambaſſadors ſhould preſs the *Dutch* Ambaſſadors, and (by their Means) the States, to depute a Perſon to wait on the Moſt Chriſtian King at St. *Quintins*; and that the Perſon deputed, ſhould be ſure to come furniſhed with a ſufficient *Plenipouvoir* to conclude and ſign; M. *Pompone* obſerving, that it was an Omiſſion that M. *Beverning* came without one to the *French* Camp.

This was M. *Beverning*'s Relation to me, and I ſent away an Account of it in all Diligence to Sir *William Temple*, as I had ſent on *Saturday* the laſt *French* Memorial, thinking it might be of Uſe to him, to be acquainted with theſe Things with the ſooneſt poſſible.

I have found ſince, that his Extract was read to the Allies here, at an Aſſembly they had upon another Occaſion on *Tueſday* Evening, and that the *French* Ambaſſadors are therein directed by M. *Pompone*, by way of Anſwer to the Objections that might be made on this Side againſt deputing; 1*ſt*, That it is a great Honour the Moſt Chriſtian King does the States, and that they ought to underſtand it as a Mark of his Sincerity for the Peace, as well as of his particular Regards for them, to come to meet their Deputies half way. 2*dly*, That it will be much more expeditious, to have the Matters Treated in the Preſence of the King, for that he will give his Deciſion out of Hand upon any Difficulties that there may ariſe. This I have not from M. *Beverning*, but from another good Hand, he telling me, the Extract was the ſame with the laſt *French* Memorial in all Things, ſaving that the *Dutch* ought to be minded of a *Plenipouvoir*.

On *Tueſday* in the Forenoon, Meſſieurs *Colbert* and *d'Avaux* did render their Viſits ſeverally to M. *Boréel*; M. *d'Avaux* took that Occaſion to ſhow him M. *Pompone*'s Letter, and they both, in their Turns, deſired him to charge himſelf with communicating the Contents of it to the *Dutch* Ambaſſadors, pretending there was ſome Danger in their going to the *Dutch* Ambaſſadors Houſe, leaſt any new Accident ſhould happen between their People, and thoſe of M. *de los Balbaſes*, when they ſhould appear, tho' but in their uſual Numbers, ſo near his Houſe, which is in the ſame Street, and juſt over-againſt that of the *Dutch* Ambaſſadors.

M. *Boréel* apprehending there was a little Deſign in this, to bring him to ſome ſeparate doings with them, excuſed himſelf; the Expedient they came to was, that he ſhould acquaint the *Dutch* Ambaſſadors, that they the *French* had Buſineſs with them, but could not come to their Houſe for the Reaſon aboveſaid; therefore they deſired him to ſend their Secretary over to the *French*, to receive by his Hands, as they did, an Extract of M. *Pompone*'s Letter.

On *Sunday*, M. *Beverning* ask'd me, whether I would receive a Viſit from M. *Boréel*, telling me, that he has no Manner of Character here, and that all he deſired, was to be look'd upon and receiv'd as a Gentleman of the Country. I told him, that in that Caſe I ſhould have no Manner of Difficulty; he told me further, (M. *Haren* being by) that they gave me their Word that he had no Character at all.

On *Monday* M. *Boréel* came to ſee me, and I returned him his Viſit next Day; it was eaſily to be obſerved in his Diſcourſe, that the States are paſſionately deſirous of a Peace, and that his Orders were, to declare it in the fulleſt and cleareſt Manner he could to theſe Ambaſſadors; that

the States will not be ſatisfied, unleſs the Towns be evacuated; and if that be done, they will get out of the War as faſt as they can.

I thought to have cloſed this Letter with an Account of the Difference between the *French* and *Spaniſh* Embaſſies, but that it is too long a Story; they being yet diſputing Punctilio's, and the Nuncio not able to agree them: I have not meddled with what is paſt, but endeavoured to ſecure the Peace for the future; the three *French* Ambaſſadors, M. *Chriſtine*, and all the Allies, (M. *de los Balbaſes* alone excepted) having declared expreſly, that I am in the right, in that I demand that the Article of our Reglements, which is *contre le Port d'Armes*, be obſerved, and held to be indiſpenſable, notwithſtanding this Incident. But now at two a Clock, I receive from the Secretary of the *Dutch* Embaſſy, a Memoir that the *Dutch* Ambaſſadors gave in at Noon this Day to the *French*; he lends it me only to tranſcribe; 'tis an Anſwer, that the States will not depute to *Ghent*, nor to St. *Quintin*.

M. *d'Odyike* (who obliges me with the Continuation of his ancient Kindneſſes, notwithſtanding the former Difficulty between him and me in Point of Ceremony) ſent for Mr. *Chudleigh*, to let me know (leaſt the *Dutch* Ambaſſadors, his Collegues, ſhould not be quick enough to inform me) that ſuch a Memorial was given in; and that M. *Colbert* was very angry, and ſaid, it was upon their Advices (the *Dutch* Ambaſſadors) that they, the States, were come to ſuch a Reſolution, that they the *French*, would not fail on their Part, *de donner auſſi les advis ſur cette occaſion au Roy leur Maître, & ils ne doutoient pas qu'il ne res pondiſt comme il faut.* I am, *&c.*

L. Jenkins.

POSTSCRIPT.

M. *d'Avaux* being with me at 11, to tell me, the *Broüillerie* between them and the *Spaniards* was made up, ſaid, it was Pity the great Differences were not made up likewiſe; that they had received at Noon a Memorial from the *Dutch*, which had little Tendency to it; that they had immediately ſent it away; that he did not for all this deſpair of the Peace; and when I replied, that it was, and would be in their Power, to give it by ſigning the Peace within the Time, and upon the Terms the *Dutch* deſired them, which Terms were, thoſe of evacuating the Towns; *Je ne dis pas cela*, was his Anſwer.

M. *Heugh* told me, the whole Aſſembly of the States were unanimous againſt deputing; only ſome Towns were for Writing a civil Letter to the Moſt Chriſtian King, but that was carried in the Negative.

Nimeguen, 29th July, 1678.

Right Honourable Sir,

SINCE the Letter I troubled you with of *Thurſday* the 25*th* by Expreſs, of which I had no Time to take a Copy; I writ another (yeſterday) by a Servant, which I ſent to Sir *William Temple*, but have none from you to acknowledge.

My Letter of yeſterday had in it a Memorial given in by the *French* Ambaſſadors to the *Dutch*, between 9 and 10 on *Saturday*, a Copy of it goes herewith; for what paſt between the *Dutch* Ambaſſadors and me upon it, I humbly take leave to refer you to what I writ yeſterday, which will, in all Probability, be delivered you afore this; my Man having Orders (unleſs Sir *William Temple* diſpoſe of him otherwiſe) to

paſs

paſs forward into *England*, or elſe it will come to Hand by the ſame Ordinary with this.

The *Dutch* Ambaſſadors took an Audience yeſterday of the *French* about 3, to give them an Anſwer upon their Memorial; all the Account I have yet of what paſſed between them is, that they offered to ſign the Treaty; this I have from other Hands: That which I have from their own Secretary is, that the *Dutch* ask'd the *French*, whether thoſe two Points in the Memorial, the one touching the Evacuating of the Towns, and the other, touching the ſatisfying of *Sweden*, might not be ſeparated; and the firſt being aſſured by a Treaty ſigned, the other Point might be adjuſted, as (after the ſigning of the Treaty) upon the States deputing, or as otherwiſe ſhould be agreed between them.

The *French* Ambaſſadors anſwered, that it was not the meaning of the King their Maſter, that thoſe two Points ſhould be ſeparated; however, the Cry of the Town at this Time is, that the Peace is as good as made.

The Nuncio hath put an End to the Difference between the *French* and the *Spaniards*; but the Allies being ſomewhat diffident it may not laſt long, have deputed M. *Beverning* to me with one Propoſition, and M. *Heugh* with another; M. *Beverning*'s Propoſition was, that I would ſound the *French* and *Swedes*, whether they would be content, that a ſmall Garriſon ſhould be brought in hither to ſecure the Peace: M. *Heugh*'s was, to deſire me to draw up an Article, to oblige all Ambaſſadors to give notice the one to the other, when they ſhould perceive any Tendency to a Difference or a Tumult between their People; this laſt Propoſition the *French* and *Swedes* conſented to, but for the admitting of a Garriſon here, the *French* deſired a Fortnights Time to conſider of it.

The Buſineſs was compoſed thus: The *French* were to ſend a Compliment to the Marchioneſs *de los Balbaſes* and her Daughter, upon their being frighted with the ſhooting of Piſtols ſo near the Coach; and the Marquiſs was to be by, when the Complement was made; then the *Ecuyers* of both Sides were to carry two or three of the moſt forward and faulty of the Footmen to the Mediators, to receive a Reprimand; but I excuſed my ſelf from meddling in it, or ſeeing any of them, for that the *Reglements*, as they are ſettled, bear, that ſuch Fellows are to be ſent (not to the Mediators, but) to the Parties offended, if Ambaſſadors, or the Town Priſon, if others; beſides, I had no Hand in making up the Difference; my Part having been to keep both Parties ſtrictly to the *Reglements* for the preventing their running into further Violences.

On *Friday* was with me the Duke of *Luxemburgh*'s Captain of his Guards, and his Secretary; the firſt has a Procuration from that Duke's Mother in Law, who claims the Dutchy of *Luxemburgh* by Deſcent; they gave me likewiſe a very long Deduction of the Pedigree and Deſcent; I fear Copies of all cannot be writ out for you by this Poſt: My Anſwer to them was, the very ſame I had made to the Duke *de la Tremoille*'s Procurator; that it was a Matter very arduous in itſelf; that his Majeſty's Commiſſion to us here was limited to ſuch Things as had given Occaſion to this War, or elſe ſuch as would keep it on Foot, if not remedied; however, that I would make a moſt humble Repreſentation to his Majeſty of the whole, and attend his Pleaſure upon it.

On *Friday*, the *Imperial* Ambaſſadors gave notice to all the Miniſters here of the Birth of an Arch-Duke; the Ambaſſadors returned their Complement, ſome on *Friday*, ſome on *Saturday*, with Ceremony; excepting the *French*, who did their Complement by a Secretary, there hav-

having always depended a Difficulty between Count *Kinski*, M. *Stradtſman*, and them, that they have not yet ſeen one another; but 'tis ſaid, when M. *de Gurck* (who is now gone to *Cologn*) returns, they will ſee him, ſince there is no ſuch Difficulty between him and them in Ceremony.

THE *Spaniards* made their Complement as ſoon as they heard the News, and I next; the Nuncio not till next Morning; there being no Order obſerved, becauſe none thought there was any Conſequence in this Ceremony.

HERE was with me yeſterday M. *du Croſs*, a Perſon that pretends very great Freedom and Acceſs to his Majeſty; he told me, he was come hither by his Majeſty's ſpecial Orders, to perſwade the *Swediſh* Ambaſſadors to employ their Offices with the *French* Ambaſſadors, that they may inſiſt no longer upon the detaining of the Towns; that he had brought Orders for Sir *William Temple* to tranſport himſelf hither along with him, but that Sir *William* excuſed himſelf for a few Days.

WHEN he ſpoke of the Affairs of the Duke of *Holſtein*, I was forced to obſerve to him, he did not keep that Reſpect, nor ſpeak with that Reverence as was due to his Majeſty; for he did not only deny, that the Duke of *Holſtein* deſired any more than his Majeſty's amicable Offices, and not the Execution of a Guarranty, but he ſaid, that his Majeſty was obliged, *pour ſa propre reputation*, to ſee that Duke reſtored; and that there was a Treaty made, as he ſaid, between his Majeſty and that Duke in 1667; which if it be obſerved, and executed on his Majeſty's Part, that Duke muſt needs come by his own.

HAVING never heard of ſuch a Treaty between the King and that Duke, but only of that ſingle Act of Guarranty (which, as I take it, was not ſtipulated by the Duke of *Holſtein*, but by *Sweden*) I beſeech you to favour me with that little Light you ſhall judge neceſſary for me in that Point.

M. *Cannon* was with me yeſterday, and is in the greateſt Pain imaginable, for that this M. *du Croſs* and others do give out, (upon what Ground he nor I know not) that now the *Spaniſh* Towns are not to be detained, *Lorain* muſt remain as a Gage in the Hands of *France* till *Sweden* be reſtored: He begs there may be an humble Repreſentation made of this to his Majeſty, and his Protection implored upon it.

NOW at Noon, the *Swediſh* Ambaſſadors take an Audience of me, to produce their Powers; and I obſerving to them there was none among their Powers to treat with *Denmark*, M. *Oxenſtiern* anſwered, there was not likely to be any need of it here, for that the *Dane* did treat at *Paris*; he went no farther in explaining what he had ſaid, tho' I endeavoured to bring him to it. They complain much of the *Dutch*, and that M. *Beverning* declaimed againſt them laſt Night, loading *Sweden* with the Envy of hindering the Peace, tho' the *French* had declared the Towns ſhall not be detained; they deſire that *England* would interpoſe, ſo as the *Dutch* ſhould not be able to pinch them, the *Swedes*, in the Streights they are now in, in the Treaty of Commerce; they would gladly, they ſay, reſerve ſomething to gratifie a Friend, as the *Engliſh* are, which cannot be, if the *Dutch* can now compaſs the End they have projected to themſelves, in demanding the ſame Liberty for the *Dutch* Ships, as the *Swediſh* ones have in their own Ports. They took Occaſion to ſpeak their Thanks very largely for the Declaration that M. *du Croſs* had brought them of the King's Affection to their Maſter, and of his Readineſs to aſſiſt them, the Towns in *Flanders* being reſtored. I am, *&c.*

L. Jenkins.

Nime-

Nimeguen, 30th July, 1678.

Right Honourable SIR,

IN humble Obedience to his Majeſty's expreſs Commands, I, Sir *William Temple*, came hither at ſeven a Clock laſt Night. Immediately upon my Arrival, M. *de Balbaſes* ſent to know, whether he might make me a Viſit; which I conſented to, and he came accordingly.

HIS Diſcourſe conſiſted of his Hopes that I brought a good Peace along with me, of his Deſires to hear whether the Treaty at the *Hague* was ratified or no, and his Complaints that the *French* were peremptory, and ſtill refuſed to ſign the Peace: That, for his Part, he could not be ſorry for it; for tho' he ſhould have ſign'd it, yet, after having ſign'd a Peace ſo deſtructive to *Chriſtendom*, he ſhould have retired himſelf from all Publick Buſineſs for the reſt of his Life.

UPON his enquiring the Occaſion of my coming, I told him, as I have done every body elſe here, that having been aſſur'd at the *Hague*, that the *Swedes* here having deſiſted from the Pretenſions, of being reſtored before the Evacuation of the Places, and the *French* having always profeſs'd that Difficulty to have been raiſed wholly upon their Occaſion, I made no Queſtion but the Peace would be immediately ſign'd, and thereupon came hither, upon his Majeſty's Orders, that I ſhould be here at the Concluſion of it.

UPON the Marquiſs his going out, my Collegue Sir *L. Jenkins* came in to me, and being ſurprized at the Unexpectedneſs of my Arrival, and I asking him whether he knew nothing of it, he ſaid nothing, but from the Talk of a confident Man lately arrived here, who had given out, he had brought the Peace in his Pocket, and Orders for Sir *W. Temple* to come with him to *Nimeguen*.

HEREUPON I ſhew'd my Collegue my Inſtructions, which you laſt ſent me, grounded upon M. *du Croſs*'s Propoſition; he told me, the Thing was done before I came; that the *Swedes* had not only deſiſted from their Pretenſions, but that the *French* had own'd it in their Memorial on *Sunday* laſt, and declared, that upon it their Maſter deſiſted from detaining the Towns: But however, that he, my Collegue, did not find the Peace was much the nearer, ſince the *French* Ambaſſadors did ſtill refuſe to ſign it, and perſiſted ſtill, that the *Dutch* ſhould ſend to treat and conclude it, either with the King their Maſter in Perſon, or with his Deputies at *Ghent*.

WHEREUPON, conſulting with my Collegue, we concluded together, that we ſhould not ſay any Thing to the *Swediſh* Ambaſſadors of what your laſt Inſtructions imported, unleſs they ſpoke to me of it, and ſeem'd to expect it from me; in Regard that whatever his Majeſty intended ſhould be done by the *Swedes*, towards the Evacuation of the Towns, had been already fully done by them; and that no Declaration of his Majeſty's Inſtructions to me was meant, or could tend to this new Difficulty raiſed by *France*, upon the *Dutch* deputing to the Moſt Chriſtian King, or to his Deputies at *Ghent*.

THE next Viſit I received was at 9 this Morning from the *Daniſh* Ambaſſador, whoſe Diſcourſe was chiefly upon the Occaſion of my Journey hither, upon the Ground it may give to the *Dutch* of receiving otherwiſe this Propoſal from *France*, than they might poſſibly have done, if I had been at the *Hague*; upon the Liberty M. *du Croſs* had taken here, of proving the Inſtructions he brought from his Majeſty, the great

Credit

Credit he had at our Court, which he, the Ambaſſador, thought very ſtrange, conſidering what he paſs'd for at their Court, where he was ſufficiently known; and thereupon he gave me a Character of the Man, which I will not trouble you with.

THE *Danes* leaving me, the *Swediſh* Ambaſſadors came in; their Diſcourſe conſiſted chiefly, in valuing the generous Pace they had made, of deſiſting from their Pretenſions, ſince thoſe alone ſeem'd ſo much to retard the Peace. They ſaid, that tho' they reckoned upon the good Offices of *Holland* after the Peace, as well as upon the Aſſiſtances of *France* towards their Reſtitution; yet their chief Confidence was on the good Intentions of his Majeſty towards their Crown, of which they had received ſuch Teſtimonies upon all Occaſions.

HEREUPON they began to diſcourſe of the laſt Memorial, and made their particular Reflexions upon two Paſſages in it: The *firſt*, that *France* ſeemed to intend that they, the *Swedes*, ſhould owe their Reſtitution to the Meaſures that *France* ſhould take with *Holland*, upon that Occaſion; whereas their chief Hopes was from his Majeſty, and that they had very little from *Holland*, beſides their common Offices after the Peace was made. The next was, from the laſt Words of the Memorial, by which it appears, that *France* intended to treat and conclude the Peace with the Deputies of the States, in a Place where there was like to be no Miniſter from *Sweden*; which, they ſaid, they did not very well underſtand, nor thought they had Reaſon to be ſatisfied with what the *French* Ambaſſadors told them upon it, that the King their Maſter's Intention was, the Peace ſhould be ſigned here at *Nimeguen*, tho' it were concluded at St. *Quintin*.

ALL that I anſwered to theſe Diſcourſes was, my Complements upon the Declaration they had made, of deſiſting from their Pretenſions, rather than hindering the Peace of *Chriſtendom*; and the Aſſurances that I had Orders to give them, of his Majeſty's good Intentions towards their Crown. And here our Diſcourſe was like to end, when I reſolved to make ſome mention of M. *du Croſs*, to find out what they would ſay upon it, and what the true Ground had been of his Journey and mine hither. I told them, that I was in Hopes to have found the Peace ready to be ſigned here when I came; for beſides the Aſſurances the Penſioner had given me and M. *Silvercroon* at the *Hague*, of their Excellencies having deſiſted from their Pretenſions, which had retarded the Peace; I heard that M. *du Croſs* had ſaid, upon the Way hither, that he carried the Peace in his Pocket; and that he brought expreſs Orders to them, the *Swediſh* Ambaſſadors, which they had not before.

M. *Oxenſtiern* ſaid very gravely to this, *Aſſeurement Nous n'avons pas agi par des Ordres, qui Nous ont eſté portez par M.* du Croſs. But M. *d'Olivenkrantz* ſmiling, ſaid, *Monſieur, pour ce qui de la vanité il la faut a M.* du Croſs, *puiſque vous ſçavoz quil eſt Gaſcoin.* I told them hereupon, that M. *du Croſs* had told both me and M. *Silvercroon*, that the Declaration made by the *Swediſh* Ambaſſadors here, had been grounded upon the Aſſurances that his Majeſty had given, particularly to M. *du Croſs* in *England*: M. *d'Olivenkrantz* replied a little warmly, *Monſieur, vous me pardonnerez ce la a eſté fondé ſur les Aſſurances que le Roy m'a donnée devant que de partir de* Londres.

BY theſe Lights, I ſuppoſe, you will be able to unriddle better than I can do here, what hath been the true Bottom of all this Intrigue.

AFTER the *Swedes* left me, the *Daniſh* Ambaſſador came in, and preſently after them, as we had concerted together, came I, Sir *L. Jenkins*,

kins, they fell preſently into Diſcourſe of the laſt *French* Memorial, in which, they ſaid, they could find little more than in the former, but that it was a Tranſpoſition of Words. For whereas they had ſaid before, they would not evacuate the Towns without Reſtitution to *Sweden*, they now ſay, they will evacuate the Towns, but they will firſt treat and agree with the *Dutch* about the Satisfaction of *Sweden*. They ſaid, the firſt Period was clear, and that upon it they offered to ſign the Peace, but the *French* refuſed, ſaying, that tho' their Memorial conſiſted of three Periods, yet they were to be taken — *pour une choſe toute d'une ſuite*. The next Remark they made, was upon the Words *toutes les Places* in the firſt Period; which Word *toutes*, they found upon Search never to have been in any of their Memorials or Letters before; and they obſerved, the meaning of it might be, that though they deſiſted from the Deſign of retaining *all* the Places, yet they did not from that, of retaining ſome of them; and the Words, if you pleaſe to obſerve them, ſeem to bear it.

M. *Beverning* ſaid further, that when he offered to ſign the Peace, and ſaid, that they ſhould not be many Days longer at Liberty, *à Cauſe de leurs Engagements*, the *French* replied, *vous vous fiez à vos Engagements Meſſieurs, & le Roy à deux cent mille hommes qui'l à bien payez*. They told them further, that his Majeſty hath ſuch Treaties with *France*, that would keep him from performing *ce que M.* Temple *à ſtipulé à la* Haye. Whereto M. *Colbert* added, *& pourquoy M.* Temple *ne vient il pas, il à les Ordres du Roy ſon Maître de venir icy, auſſi ne fait à la* Haye *que du mal.*

After they concluded, that the Deſign of *France* was, to draw this Buſineſs into a particular Negotiation between them and the States, without either the *Swede* of the one Side, or their Allies of the other, and without *England* too; and by that Means to hinder them from the Aſſiſtance either of the Allies, or of us; that by theſe Memorials about Deputations to *France*, and by their Artifices in ſcattering Copies of them, as ſoon as they were delivered, they hoped to prevent the Meaſures between us and *Holland*, and to draw out the Time, while they purſued the Siege of *Mons*, and while *England* ſhould grow weary of keeping up their Forces, when they knew the Parliament would not be willing to pay for Peace, tho' they would for a War. M. *de Haren* added, *il n'y à perſonne ſi aveugle qui ne voit tous ces artifices*, they both wiſh'd very much that I, Sir *William Temple*, were now at the *Hague*; becauſe they doubted what Effect this Memorial might have upon them there, when they ſhould ſee, in the firſt Period of it, a Declaration of the *French* to evacuate the Towns, but not conſider that which follows.

The firſt Viſit I, Sir *William Temple*, received this Afternoon, was from Count *Kinski*, whoſe chief Diſcourſe was, in extolling the Force of *England*, which had appeared ſo much by his Majeſty's late arming ſo powerfully in ſo ſhort a Time, ſaying, that if the King pleaſed, he was Arbiter of the World, and might be ſo of this Peace here, if he thought fit.

That for their Part (meaning the *Imperial* Ambaſſadors) in it, all that he would ſay was, that they were ſent hither *pour Traiter, & non pas pour receuvoir des Loix*; but that the *French* underſtood it otherwiſe: and that nothing had paſs'd between them, ſince the *French* publiſhed the Conditions upon which they would make the Peace in the Beginning of *April* laſt: ſince which Time, they had often offered to treat upon them, but the *French* excuſed themſelves; and for their

Parts, they were reſolved not to receive thoſe Conditions without treating upon them.

NEXT to Count *Kinski*, came to me the *Brandenburgh* Ambaſſador, whoſe Diſcourſe was either Complement, or elſe Politick, upon the Affairs of *Holland*; how near the Prince was being abſolutely loſt there, about three Months ago; and how much he was recovered ſince this laſt Incident from *France*, about the evacuating of the Towns.

THE next Hours of 5, 6, and 7 this Afternoon, were given to the three *French* Ambaſſadors, who had been the laſt to demand it of me, having been yeſterday out of Town at my Arrival: All paſt with great Complement and Kindneſs; beſides which, M. *d'Eſtrades* endeavoured to ſhow, that all the Sincerity in the World had been of his Maſter's Side, but that all had been artificial on the Part of the States, but eſpecially on M. *Beverning*, who, he ſaid, was *trop habile homme*; and always found ſome ſpecious Thing or other to hinder the Peace, by which the *French* find, that the States really had no Mind to the Peace, how much ſoever his Maſter deſires it.

M. *Colbert*'s whole Deſire was, to ſhow the Incident touching the Towns proceeded wholly from M. *Oxenſtiern*; how the Moſt Chriſtian King could not in Honour refuſe it to an Ally, tho' he, M. *Colbert*, thought it much againſt his Maſter's Intereſts, and more againſt the Intereſt of *Sweden*, that his Maſter had deſiſted, immediately upon the *Swedes* deſiſting by their Declaration, which was made to them here the 26*th* of *July*, *N. S.*

THIS made me reflect upon what M. *du Croſs* would have ſold ſo dear to his Majeſty, after that the *Swediſh* Ambaſſadors had given the Point here; and as M. *d'Olivenkrantz* ſaid, upon the Aſſurances his Majeſty had given him before he came laſt from *London*, but as others interpret it here, from the Fears, that in Caſe the War went on this Summer, the *Dutch* would lend their Fleet to their Allies, to beat the *Swedes* clearly out of *Pomerania*.

I remember nothing in M. *d'Avaux*'s Viſit, beſides the ordinary Things that paſt in thoſe of his Collegues.

ABOUT 8 a Clock, the *Dutch* Ambaſſadors came to us both a ſecond Time, and ſaid, they had Orders from their Maſters, to communicate to us the Anſwer they had newly received from them to the *French* Memorial of *Sunday* laſt; which was in ſhort:

THAT they were ready to ſign the Peace, and ſhould be ſo, till to Morrow was paſt; after which, they ſhould be at Liberty no longer, in Regard of their Engagements with his Majeſty; but that if they, the *French* Ambaſſadors, would ſign the Peace, their Maſters the States, after it was ſign'd, (to ſhew their Reſpect to the Moſt Chriſtian King) would ſend their Ambaſſadors not only to St. *Quintin*, but to *Paris*.

THE Time being thus ſhort, and expiring to Morrow at 12 at Night, they told us, they would go ſtrait from us, to acquaint the *French* Ambaſſadors, by Word of Mouth, with this Anſwer of the States, intending to give it them to Morrow more extenſively in Writing. We are, *&c.*

W. Temple.
L. Jenkins.

Nime-

Nimeguen, 31ſt July, 1678.

Right Honourable SIR,

WE have made a large Diſpatch yeſterday, but we have ſtaid the Bearer to ſee the Iſſue of this great and critical Day, which proves to be, that this Night late the Peace between *France* and *Holland* was ſigned; the *French* Ambaſſadors came at 4, and telling us, all was agreed between them, deſired it might be ſigned at our Houſe: The *Dutch* came an Hour after, and made the ſame Requeſt, that we would ſign with them as Mediators, having prepared a Preface to that Effect; we excuſed ourſelves to both, finding that *Spain* was not like to ſign with them; and told them, that his Majeſty having ſent us hither for the Mediating of a General Peace, and having had no Part in Negotiating this particular one, we could have none in the Concluſion of it.

M. *Beverning* ſaid at parting, *nous allons nous perdre, mais il faut obeïr, & ſigner à ce ſoir.* M. *d'Olivenkrantz* came to us, to teſtifie his Diſſatisfaction that *France* was like to ſign without them the *Swedes*. M. *de los Balbaſes* came to us, with very loud Complaints, that he had no Notice from the *Dutch* till this Afternoon, after they agreed upon ſigning with the *French* Ambaſſadors, ſaying, he was willing to ſign the Project that the Duke *de Villa Hermoſa* had agreed to, but not any new Conditions that *France* would impoſe.

LAST of all came M. *Kinski*, *Heugh*, and *Blaſpiel* together, acquainting us with the Notice they had of the *Dutch* being reſolved to ſign the Peace this Night; and that they were going to them, to proteſt againſt it, and that they would bring us their Proteſtation in Writing: We told them all, we had no Part either in the Negotiation, or Concluſion of this ſeparate Peace, but ſhould report to his Majeſty what the ſeveral Parties had ſaid to us upon it: Nothing could be more ſurpriſing than this hath been here; none of the Parties ſeeming yeſterday to imagine there would be any ſuch Thing: All that we ſhall obſerve upon it is, that it ſeems to us a Thing, with which none of the Parties are pleaſed with. GOD of Heaven preſerve his Majeſty.

W. Temple.
L. Jenkins.

Nimeguen, 1ſt Auguſt, 1678.

Right Honourable SIR,

HAVING made our Diſpatch by our Expreſs laſt Night in that Haſt, as not to inſert many Particulars, we take leave to add by this Ordinary, that M. *Beverning*, in the Account he gave us laſt Night of what had paſt yeſterday between them and the *French*, that the Debates they had upon the ſeveral Parts of the Treaty laſted between them above five Hours.

THAT the *French* inſiſted hard upon the detaining of *Maeſtricht*, as neceſſary to their Operations in the War; next upon *Charleroy*; and then upon *Ghent*; and that when they, the *Dutch*, were peremptory in refuſing all theſe Inſtances, they then demanded the Liberty of making their Magazines in *Maeſtricht*, with free Paſſage for their Armies in the Country belonging to it; but this the *Dutch* refuſed too; but after ſtiff Debates, the *French* yielded all the Points, tho' M. *Colbert* had ſaid of *Char-*

Charleroy, que ſur la damnation de ſon Ame, he had no Orders to conſent to the Evacuating of it. That the *French* had pinch'd them very much in ſeveral Articles of the Commerce, particularly in that of 50 *Sols par Tonneau*, and in refuſing to regulate the Abuſes in the Execution of it.

When we preſs'd them laſt Night upon taking of *Spain* along with them, as a Thing which his Majeſty underſtood was agreed on between them; they ſeem'd to apprehend the Importance of it as much as we could do, but ſaid, their Orders were poſitive for ſigning laſt Night, in caſe *France* would come to the Evacuation of the Places; that they muſt obey, tho' *Spain* could not poſſibly be ready.

We have nothing to add to what we writ already of the Marquiſs *de los Balbaſes* his Diſcourſe laſt Night, but that he repeated his Complaints of the *French* demoliſhing the Outworks at *Courtray*, *Charleroy*, and *Oudenard*, contrary to the very Promiſe of *France*, and contrary to the Deſign of leaving a Barrier in *Flanders*.

He deſired to know of me Sir *W. Temple*, what the Difficulties were, upon which his Majeſty had refuſed to ratifie the late Treaty at the *Hague*, without ſome new Conditions, which the States could not poſſibly come to; all which, he ſaid, M. *Beverning* had told him in Confidence; I told him, that his Majeſty had never refuſed to ratifie the Treaty, and that I thought it might be already come to the *Hague*.

This Morning the *Dutch* Ambaſſadors came to us at 10, and giving us an Account how they actually ſigned the Treaty laſt Night at 12 a Clock; they told us, the *French* had agreed to go on in the Buſineſs of *Spain* to Morrow, wherein they foreſee two great Difficulties; the one will be that of bringing *Spain* to an Article of Neutrality, and thereby to ſeparate the two Branches of the Houſe of *Auſtria*; the other, about what *France* hath already demoliſhed, and what new Forts they pretend to build.

Upon this M. *Beverning* told us with great Sadneſs, that he ſaw from this, and ſeveral other Things, what the Deſign of *France* is, ſaying theſe Words, *il eſt clair comme le jour, qu'ils nous veulent tromper*; that when *England* ſhould be diſarm'd, and *Holland* too, *je prevois un ſaut qu'ou voudra faire, dont Dieu nous garde*; that he never ſigned a Treaty ſo much a *contre-cœur*, and that he would never take a Commiſſion more from his Maſters.

We telling M. *Beverning*, what M. *Balbaſes* had told us laſt Night, (as from him) about his Majeſty's refuſing to ratifie the Treaty; he replied, that he had not ſaid, that his Majeſty had refuſed to ratifie; and that what he had told M. *Balbaſes*, was only from a Letter of M. *Van Beuninghen*'s, that there had been only ſome Difficulty in it, upon ſome Expreſſions that his Majeſty diſliked.

After this, he produced a Letter from the Penſioner, with an Expreſſion in it from the Prince, ſaying, that while the Miniſters were deciding Affairs here, they were like to decide them another Way by a Battle, which in all Appearance was to be given yeſterday or this Day.

W. Temple.
L. Jenkins.

Nime-

Nimeguen, 5th Aug. 1678.

Right Honourable SIR,

SIR *W. Temple* and I gave you an Account, by an Expreſs that went hence on *Thurſday* Morning, of the Signing of the Peace between *France* and *Holland*, on *Wedneſday* laſt late at Night; the ſame *Thurſday* we writ again by the Ordinary. Sir *William* ſhewed me a Letter of yours of the 30*th* paſt, (which I doubt not himſelf will acknowledge) received on *Saturday* Morning by Expreſs, and went hence yeſterday before 5 in the Morning, in all Haſt for the *Hague*, in order to exchange the Ratifications.

THE Treaty between *France* and *Holland* is hitherto kept ſecret, the Term for Exchange of the Ratifications, is of 6 Weeks or ſooner; all the Promiſe the *Dutch* have for evacuating the *Spaniſh* Places, is by Word of Mouth from the *French* Ambaſſadors; they have ſtipulated nothing for it in Writing; but the *French* have an Article from them for a Ceſſation of Arms with *Sweden* for 3 Months Space, as I am told.

ON *Thurſday* Morning the Marquiſs *de los Balbaſes* was with us, to tell us, that the King of *Spain* his Maſter did rely very much upon his Majeſty's Mediation, and therefore that he was come to make it his ſolemn Requeſt to us, to paſs our Offices in the Treaty that was to be ſet on Foot between him and the *French*.

ON *Saturday* Morning he came again to renew the ſame Requeſt, and had obtained of the *Dutch* Ambaſſadors to come a little while before, and to declare, as they did, that it was their earneſt Requeſt to us, that we ſhould enter into the Function of Mediators, excuſing themſelves very much, for that they had meddled (as they had done) ſince the $\frac{13}{23}$*th* of *June* laſt, in going between the *French* and the *Spaniards*; they did not do it, they ſay, but for Want of other Mediators; the *Spaniards* having repreſented unto them, that the Nuncio would not meddle, becauſe of a Concern the Church hath, that *Dinant* be not alienated from the Biſhoprick of *Liege*; and that I had alſo excuſed myſelf from meddling, till I ſhould receive his Majeſty's Orders.

WE having conſidered his Majeſty's Inſtructions of the 28*th* of *June* laſt, thought we could not deny our Offices to the *Spaniards*. Our Anſwer therefore was, that when they ſtuck upon any Difficulty, we would be ready to intervene; and in thoſe Caſes where the Difficulty could not be removed, we ſhould make our humble Repreſentation to his Majeſty.

ON *Friday* M. *d'Avaux* came to me, to know if we were at Liberty to paſs any Offices between them, the *French*, and the *Spaniards*; and if ſo, they would bring us their Project, and deſired us to paſs our Offices upon it; I having taken Time to adviſe with Sir *W. Temple* upon it, (for that we had not yet ſo fully view'd our Inſtructions, and reſolved what to do) went to his Houſe, and told him for Anſwer from us both, that whenſoever they ſhould pleaſe to charge us with any Commiſſion towards the *Spaniards*, we ſhould be ready to paſs our Offices in the uſual Manner, but we have not heard from him ſince; there was a Project put by the *French* into the Hands of the *Dutch* Ambaſſadors ſome Time on *Friday*, but none as yet given in unto us.

ON *Friday* Meſſieurs *Kinski* and *Stradtſman* returning my Complement upon the Birth of the Archduke, (which they did in Ceremony with 4 Coaches and 6 Horſes a-piece) they entred upon the Matter of the

the Treaty, and ſaid, they did implore moſt heartily his Majeſty's Mediation and good Offices, in order to bring them to enter into this Peace; they are moſt ready, they ſay, to enter into Treaty; but to receive the Conditions of *France* as a Law preſcribed them, the Emperor their Maſter will not ſuffer them to do it.

On *Saturday* M. *Petcum* told me, that there are thoſe here who would impute the Diſadvantages of this Peace to *England*; and that his Majeſty's refuſing to ratifie the Treaty with *Holland*, (which now proves to be manifeſtly falſe) was the Motive at the *Hague*, which brought the States to huddle up their Peace before the $\frac{1}{11}$*th* of *Auguſt*. I did not know that the Ratification was then come, and ſo I could ſay no more, but that if the States did believe (as 'tis pretended) the King would not ratifie the Treaty with them, nor break with *France*, yet they had no Reaſon to precipitate ſo much their own Peace; and conſequently give their Allies occaſion to cry out againſt them, for not giving them above 6 or 7 Hours Warning, that they were going to ſign the Peace; whereas they had given them all Aſſurance poſſible they would not ſign without them.

On *Saturday* Night late, the *Dutch* Ambaſſadors gave Sir *W. Temple* and myſelf an Account, that the *French* and *Spaniſh* Ambaſſadors had been the greateſt Part of that Day at their Houſe, one Embaſſy being in one Chamber, they going between them, each Project contains four or five and twenty Articles a-piece; they could not ſay, that with all that Day's Pains, they had been able to agree above 4 or 5 of the Articles, and thoſe general ones; the moſt deſperate are thoſe concerning *Dinant* and its Dependencies, as alſo concerning ſome Lands on the *Sambre* Side, that were never ſpoke of before, but that the *French* will have to be meant in a Clauſe of their Conditions of Peace publiſhed in *April* laſt; for there 'tis ſaid, (after that the Places are ſpecify'd, firſt thoſe that are to return to *Spain*, and then thoſe that are to remain to *France*) *Et en mot toutes les Places & Païs dont ſa Majeſté Tres Chrêtienne ne en à poſſeſſion a l'Exception de celles qui ſont marquées cy deſſus.* By theſe Words, they would ſweep off about 13 Villages in one Place, and about 25 in another, that they might have all clear to the River of *Sambre* on that Side.

Another Point is about the Neutrality, into which the *Spaniards* do make all the Difficulty poſſible to enter. This is but the firſt Eſſay. I ſuppoſe the *Spaniards* will not ſtick finally at any Thing; for I perceive M. *de los Balbaſes* is of Opinion, that nothing will hinder the *Dutch* from ratifying their Peace now they have ſigned it.

At 9 this Morning came to me the *Dutch* Ambaſſadors, to tell me, they had had a Conference with the *Spaniards* yeſterday, and had gone through all the Articles of the *French* Project. They found them immoveable as to the Point of entering into a Neutrality; and tho' they preſſed them with a Precedent, of the Emperor's having entered into a Neutrality in the Treaty of *Munſter*, yet they dare not do it, they ſaid, for that it would be the certain Hazard of their Heads.

The Places that the *French* inſiſt upon are, *Beaumont* and *Chimey*, the firſt having 25, and the other 36 Villages depending upon them, the *French* pretend to have demanded them, in a Propoſition they made in *January* laſt. M. *Beverning* cannot find by his Papers, nor I by mine, that there was any Propoſition made by *France* in that Month, therefore M. *Beverning* conjectures (and ſays he hath ſome imperfect Notion of it, out of M. *Van Beuninghen*'s Advices) that there was a Propoſition brought from

from *France* to his Majeſty about that Time, but does not remember the Particulars.

Bovignes is a Caſtle overagainſt *Dinant*, on the other Side the River; the *French* muſt have that, which is another new Demand. Touching *Dinant* itſelf, the *Spaniards* will by no Means undertake to paſs Offices with the Pope, the Emperor, and the Empire, the Prince and Eſtates of *Liege*. So that thoſe Offices failing within a Term prefix'd, and the Ceſſion not obtained, *Charlemont* muſt be given over to *France*. This Stiffneſs he, M. *Beverning*, approves not; they, the *Spaniards*, he ſays, ſhould promiſe their Offices, and get the longeſt Term to do them.

But that which ſeems moſt dreadful to him and his Collegue is, that now they, the *Dutch*, having ſigned the Treaty with *France*, the *French* Ambaſſadors are like to yield little or nothing; *Je n'en eſpere pas ſeulement un paille*, were his Words; yet if the States ſhould go further, and come to a Reſolution to exchange the Ratifications as ſoon as may be, and before the Time prefix'd, then, and in that Caſe, if the Peace of *Spain* cannot be made within that Time, the *French* will yield nothing afterwards; and they, the *Dutch*, will not be able to help the *Spaniard* in the leaſt, for that they muſt obſerve the Neutrality they have promiſed to *France*. This the *Dutch* Ambaſſadors ſeem to be troubled with, ſaying, one of them muſt go to the *Hague*; M. *Beverning* deſired M. *Haren* would take the Pains to go this Evening, to acquaint their Maſters, how Things ſtand here, and the little Probability there is of making up the Peace between *France* and *Spain*, and alſo the Conſequences that are unavoidable, if the States do ratifie their Peace before this other be made up. They told me, they were going ſtrait to the *French* Ambaſſadors, they did not deſire me to go along with them, but ſaid, they would give me an Account before the Poſt went this Day of their Succeſs.

The Letter incloſed to his Majeſty was left there by the *Naſſaw Sarbruck* Miniſter, with ſuch long Memorials, that will take up more Time than we have this Day to write out.

M. *d'Olivenkrantz* calling upon me at Noon, told me, that the Treaty that is now on Foot between *France* and *Spain*, hinders them from bringing in their Treaty with *Holland*; however, they hope theirs will be quickly done; and the *French* Ambaſſadors told them yeſterday, that that of *Spain* would not be long a doing. He told me, the Ceſſation between them and *Holland* is not for 3 Months, as I had been informed, the *Hollanders* are to be Neuters, not to infeſt *Sweden* themſelves, nor to aſſiſt the Enemies of it, till the Peace be made.

His Buſineſs with me was, to propoſe the removing of the Difficulty between me and the *Hamburgh* Deputies; I told him that Buſineſs lay before his Majeſty, and that I could not do any Thing but what his Majeſty ſhould pleaſe to direct upon it. Hereupon he deſired I would lay before his Majeſty theſe *three* Things, which he hoped would diſpoſe his Majeſty not to think ſo ill of the Step that thoſe Deputies had made, in ſeeing the *Imperialiſts* before they ſaw me.

The 1*ſt* was, that it might be conſidered, whether the Deputies of Towns had a Quality of that Nature, as to have any Conſequence in it in Matters of Ceremony, as the Character of other Miniſters had.

The 2*d* Point is, whether there was not a Neceſſity for them to ſee the *Imperialiſts* firſt, in Regard that the Emperor is at this Time in a manner Maſter of their Town, the *Imperial* Commiſſary in it vexing and perſecuting them at his Pleaſure, from a Suſpicion of their adhering to the contrary Party.

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THE 3*d* Point is, that they had not yet delivered their Credentials to either of the *Imperial* Ambaſſadors, and he, M. *d'Olivenkrantz*, brought me theſe Credentials, to ſhew me they were yet entire and under Seal, telling me, that if his Majeſty thought fit to give Way, they would deliver their Credentials to his Majeſty's Miniſters here, before they deliver thoſe to the *Imperialiſts*.

IN this M. *d'Olivenkrantz* ſeemed to be ſomewhat concerned, and was in Hopes, that when his Majeſty ſhould pleaſe to reflect upon theſe three Points, he would give Orders that we ſhould receive thoſe Deputies. I beſeech you, SIR, favour me with a Word of his Majeſty's Pleaſure upon it: This Subject lead him to give me a Relation of an old *Broüillerie* that is ſtill depending between Madames *Colbert* and *Oxenſtiern*, I mention it, for that it is made a Matter of State.

MADAME *Oxenſtiern* lying in, Madame *de los Balbaſes* was the firſt to viſit her, and was twice to viſit her, before Madame *Colbert* made her firſt Viſit. Madame *Oxenſtiern* (when ſhe was up) went firſt to viſit Madame *de los Balbaſes*, and then thought to have viſited Madame *Colbert*, but ſhe refuſed to give any Time for it; the Moſt Chriſtian King being informed of this, hath pronounced that Madame *Colbert* did well, and hath ſent to *Sweden* to complain; and tho' Order in Viſits (after the firſt) hath never been reputed here to have any Conſequence; yet M. *Colbert* alledgeth what he did in *England*, after the Prince of *Tuſcany* had ſeen the *Spaniſh* Ambaſſadors firſt, as Warrant in this Caſe. I am, *&c.*

L. Jenkins.

Nimeguen, 8th Auguſt, 1678.

Right Honourable SIR,

I Have now the Favour of one from you of the 30*th* paſt to acknowledge. I have written unto you on *Monday* by the Ordinary, and was forced to add conſiderably to your Trouble by an Expreſs that went hence yeſterday Morning. He brings you the ſeveral Projects of the Treaty between *France* and *Spain*, they are apoſtill'd, to the End you may ſee, with leſs Pains, when they agree, and where they differ: I ſent you withal in a Paper apart, the Reflexion of the *Dutch* Ambaſſador (from whom I received the Account) upon the more important Points in Difference. I have ordered the Expreſs to touch at the *Hague*, that Sir *W. Temple* may have a View of the Projects and Apoſtils, it would have loſt us too much Time to have writ out Copies for him.

THE Buſineſs of the *Switzers*, which you are pleaſed to recommend in your laſt of the 30*th*, is done to Hand, as to the Treaty between *France* and *Holland*, both Parties having included them (as you'll find by the Article of Incluſion which I ſent you by the Expreſs).

I do not hear yet from the Adminiſtrator of *Wirtemberg*, his Pretenſion will not come on but with the Peace of the Empire.

YESTERDAY at Noon, M. *de los Balbaſes* was pleaſed to come and acquaint me, that the Day before, the Nuncio had propoſed to him a Ceſſation of Arms, in Order (as was pretended) to the facilitating of a General Peace; that he had anſwered the Nuncio, he would accept of it, provided it exceeded not three Weeks Time, to be counted from *Tueſday* laſt, provided likewiſe that the Subſiſtence of Money, and the withdrawing of the *French* Army to the Territoies of *France*, was agreed on, before the Ceſſation ſhould commence, as alſo that that Ceſſation might

might be no Hindrance to the finiſhing, or ſigning of the Peace between *France* and *Spain*.

He told me further, that he had been with C. *Kinski* over Night, and with M. *Stradtſman* yeſterday Morning, that he had found them inclinable enough to accept of the *Armiſtice*, if their Allies of the *North* would do the ſame; that the *Munſter* Miniſter had declared his Acceptance to the Nuncio, and the *Imperialiſts* too, and that they believed the Princes of *Brunſwick* would give in to it; that they had not yet informed themſelves what the *Brandenburgh* would do, but that they found the *Dane* to be againſt it.

That he, M. *de los Balbaſes*, gave me this Notice, to the End he may not be thought to have made this important Step of accepting an *Armiſtice*, without the Knowledge of his Majeſty's Miniſter upon this Place; and that he had ſent over Night to ſpeak with me, but that it happened I was not within. That he had asked the Nuncio, whether the *French* would give in to this *Armiſtice* or not; and that his Anſwer was, he knew not yet; that he, the Nuncio, had made this Propoſition, upon Occaſion of Letters he had received on *Sunday* laſt from the Nuncio that reſides at *Vienna*. That he, M. *de los Balbaſes*, having receiv'd News from *Bruſſels*, between 8 and 9 on *Tueſday* Night, that *Mons* had been relieved, he ſent Word to the Nuncio yeſterday Morning, that the State of Affairs being now changed, he underſtood the Promiſe he made to the Nuncio was to hold, if the States General, the Prince of *Orange*, and the Governour of the *Low Countries*, ſhould approve of it, and not otherwiſe.

Some two Hours after, the *Dutch* Ambaſſadors were with me, to acquaint me, that the *French* Ambaſſadors had been with them that Noon, to ask their Advice, whether they ſhould accept of an *Armiſtice* that the Nuncio had propoſed to them or not; and whether they, the *Dutch*, would enter into the Guaranty of it likewiſe: To this laſt they anſwered, that they could ſay nothing till they knew the Pleaſure of their Maſters; and that in order to know that, they would be glad to know, whether the *Swedes* would conſent to it or no. The *French* ſaying, they had not yet acquainted the *Swedes* with it, took this Occaſion to go ſtrait to them, whom they found ready enough to accept it, if the *Brandenburgher* would do the like, and the States would warrant the *Brandenburghers* accepting of it.

The *Dutch* having this Account from the *French*, charged themſelves with ſounding M. *Blaſpiel*, which they did; but found him averſe enough from the Ceſſation; however, his Anſwer was, that there being a particular Treaty between his Maſter and *Denmark*, he would firſt ſpeak with M. *Heugh*, and then give them his Anſwer; which the *Dutch* Ambaſſadors promiſed to impart to me as ſoon as they ſhould have it, but I have not heard from them ſince.

All that I ſaid to the *Dutch* Ambaſſadors upon this Occaſion, as I had ſaid immediately before to the Marquiſs *de los Balbaſes*, was, that his Majeſty having ſo great a Force a-foot both by Sea and Land, ready to enter into Action, and that Force having been raiſed in order to ſave the *Spaniſh Netherlands*, and to purſue thoſe Meaſures his Majeſty hath entered into with this State, he had a very great Intereſt that ſuch a Step as this ſhould not be made without his Knowledge, and that it was but Juſtice it ſhould not be made without his Conſent. This they acknowledged ſeverally to be Reaſon; M. *de los Balbaſes* referring himſelf to what this State and the Governor of the *Low Countries* would do,

and the *Dutch* Ambaſſadors having nothing, they ſaid, to ſay, till their Maſters ſhould give them Orders.

THE *Dutch* Ambaſſadors were of Opinion, that the Propoſition of the *Armiſtice* moves from the *Imperialiſts*, and that C. *Kinski* finding the Emperor hath a Mind to it, fancies to himſelf the Allies, eſpecially thoſe of the Empire, will give into it; whereas they are not like to comply further with the Propoſal than their own Convenience will lead them.

M. *Beverning* cloſed his Converſation with telling me, he had not gone yeſterday Morning for the *Hague* (as he intended), in Regard he had found Work to ſpend the Forenoon more uſefully here, in Treating with the *Swediſh* Ambaſſadors, with whom they have made a conſiderable Progreſs, hoping that Affair will be quickly finiſhed.

HE did not mention any Thing of our intervening between them as Mediators; nor did M. *d'Olivenkrantz*, when I asked him on *Monday* in what their Treaty with *Holland* was to conſiſt; for his Anſwer was, that they as yet had done nothing at all in it, and could not, as long as the *French* Treaty with *Spain* was a doing; they muſt, they ſaid, give that Treaty Leave to go before; but that when any Thing was done in it, they would be ſure (as M. *Oxenſtiern* in his Abſence had done) to give his Majeſty's Miniſters here an Account of what paſſed; not ſaying that they would deſire, or might have need of our Offices.

YESTERDAY the Gentleman that has the Procuration from the Duke of *Tremoille*, came to my Houſe, and took out a Proteſtation; and having told me the Subſtance of it, would have had me to take it into my Hands; but finding me to excuſe myſelf from receiving it, for the ſame Reaſons I gave him in his firſt Addreſs, he left it upon my Table. He had brought a Notary along with him, and having obſerved he had not rightly, at leaſtwiſe not fully comprehended my Anſwer, I took Occaſion to repeat the Reaſons why I excuſed myſelf from meddling, in the hearing of the Notary.

IN the Afternoon comes another Gentleman, that the Captain of the Duke of *Luxemburgh*'s Guards had ſubſtituted here, to ſpeak with me; his Buſineſs was, to put in a Proteſtation for that Duke, together with a Copy of his Subſtitution; and finding that after his Addreſs (which was exceeding civil) I did not reach out my Hand to take his Paper, he laid it upon my Table, in the Preſence of the Notary he had brought along with him, and took his Leave.

THE Copies of thoſe Papers you'll have with the next Opportunity: I will not trouble you with my Remarks upon the Proteſtations, it being not worth the while; but I am perſwaded thoſe Gentlemen made this Haſt to put them in, becauſe they ſee ſome clear Symptoms that the Peace with *Spain* will ſuddenly be ſigned; for otherwiſe it would be but very reaſonable for them to ſtay a few Days longer for Sir *W. Temple*'s Return; but then had they deferr'd the putting in their Proteſtation till after *France* and *Spain* had ſigned, a pretended great Point would have been loſt; which is, that no Prejudice ſhould accrue to their Principals, for that the King of *Spain* is acknowledged King of *Naples* and Duke of *Luxemburgh*, in ſo ſolemn a Treaty and Aſſembly as this is.

THERE is this Difference in the Caſe of the Duke *de la Tremoille*, now at this Time, from what it was at *Munſter*; there M. *Servien* appeared with the Procurator, and gave his Atteſtation that he was not heard, reſerving indeed the Right of his King, which he took to be the better; here theſe Ambaſſadors, I am told, are forbid to appear in, or give Countenance to the Buſineſs.

BEING

BEING at 11 at M. *Stradtſman*, I asked him in what State the Ceſſation was; he told me, that it was as yet a Thing new and undigeſted; that the Emperor, as he was deſirous to enter into the Peace, ſo he would refuſe no Manner of Means conducing to it; that the *French* had been yeſterday with the *Dutch* Ambaſſadors, to know whether the States would warrant it or not; and their Warrant was deſired, not for one Party, but for all in general; that the *Spaniards* are willing enough to do it; that M. *Blaſpiel* does not refuſe the Propoſition, but will write to know the Elector's Mind; that M. *Heugh* had anſwered, that for his Part he would not hearken to any ſuch Propoſition, but left the Allies to themſelves.

I cannot forbear to obſerve to you, that while I was in this Converſation with M. *Stradtſman*, M. *Blaſpiel* and the Auditor of the Nuncio were together in a Room apart, which makes me ſuppoſe, that the Auditor may be near gaining his Point with the *Imperialiſts*, *French*, and *Spaniſh* Ambaſſadors, and that now he is labouring with the *Brandenburgher*; and M. *Blaſpiel* being M. *Stradtſman*'s Brother-in-law, they meet at his Houſe: This being the firſt Time that I have heard of any Acceſs the Auditor had to the *Proteſtant* Miniſters.

NOW at one, M. *Balbaſes* tells me, that there is no more done in the *Armiſtice*, but that the *Imperialiſts* and he have joined to intreat the Nuncio to give the Conditions of it in Writing, that they may afterwards propoſe it with more Certainty to their Allies. He ſays, the firſt Motion of this comes from the *French*, and that for his Part he will do nothing in it without Conſulting the Duke *de Villa Hermoſa*. That M. *Beverning* is gone this Morning to the *Hague*, where M. *de Lyra* will be ſure to communicate with Sir *W. Temple*, as he ſaid, the Steps that ſhall be made towards this Ceſſation.

WE hear not one Word more of the Proteſtation that the Allies threatned to give in in Writing, againſt the Peace that the *Dutch* Ambaſſadors ſigned with *France* only; that the *Spaniſh* Ambaſſadors have ſaid, they will not join with them, and the *Lorain* Miniſter, that he dares not.

M. *Beverning* tells me, he intends to inſinuate to the States the following Reflexions, when he makes his Report.

THAT there are three Points depending between the *French* and *Spaniards*, in which there will be an extream Difficulty.

1. THE Alternative of *Charlemont* or *Dinant*.
2. THE Ceſſion of *Beaumont*, and other Places up to the *Sambre*, not ſpecified in the *French* Conditions.
3. THAT the *Spaniards* ſhould enter into the Neutrality demanded by *France*.

1. FOR the Alternative, they are of Opinion, that whereas the *Spaniards* demand 3 Years, that they ſhould be content with the Term of 12 Months, to try what they can do to procure the Ceſſion of *Dinant*; and the Term being agreed, that his Majeſty and the States would be pleaſed *tenir le main & donner un garantie efficace*; that in caſe *Dinant* cannot be had, *Charlemont* ſhall be given up to *France* effectually, without giving Occaſion to the Moſt Chriſtian King to enter into Arms to recover it.

2. FOR the Ceſſion of *Beaumont*, and other Places beyond the *Sambre*, but not ſpecified in the *French* Conditions, they ſaid, they had preſſed the *French* very hard with the Unreaſonableneſs of that Demand; all that they had from them was, that they promiſed to write to Court,

but they would not give them any Hopes of ſucceeding; however they, the *Dutch*, are of Opinion, that the *French* being in no wiſe founded for this Pretenſion, *qu'il faut appuyez les Eſpagnols.*

3. The Neutrality demanded of the *Spaniards*, being that which goes neareſt their Heart, there is no Hopes that they will give an expreſs Article for it, all the *Dutch* Ambaſſador's Hope is, that they may be brought to do it in Effect, but yet under ſome Diſguiſes.

The Diſguiſe is this, the 3*d* Article of the Peace of the *Pyrenees* providing for a Neutrality, and ſuch a Neutrality in Point, as the *French* do now inſiſt upon, they would be content to be tied to the Tenour of that Article, to obſerve and execute it as far as it is appliable to any of the Parties that ſhall be hired in this War, but then they muſt have this Article jumbled together with ſome more Articles of that Treaty, that they will charge themſelves to obſerve, for better Diſguiſe.

This the *Dutch* Ambaſſadors hope to bring about, but they have no Promiſe, they ſay, for it from the *Spaniards.*

That which M. *de los Balbaſes* told me laſt Night upon this Subject was, that they, the *Spaniards*, would be brought to whiſper the Mediators in the Ear, that they would be brought to obſerve a Neutrality very exactly, and that indeed the Condition of the Crown of *Spain* will not permit them to do otherwiſe, but cannot promiſe it by an Article.

These 3 are the great Points, for I do not mention the depoſiting of *Ghent*, or the detaining of *Charleroy*, or any of the Towns the *French* are now in Poſſeſſion of, tho' it be in their Project, having ſatisfied the *Dutch*, they do not intend to inſiſt finally upon any ſuch Thing.

There are other Points in Difference between the *French* and *Spaniards*, but they are ſuch as they have much more Hopes to compoſe.

1. As firſt, for the Woods that are cut down, they think the *French* will find a Way to ſweep them off if they be not yielded, and 'tis well they deſiſt from cutting down any more.

2. *Les Enclaments*, and theſe they think ought to remain under the ſame Juriſdiction, and under the ſame Lord that they were formerly, till ſome better Order can be taken by the Commiſſaries of the Limits, who may have the ſettling of them for a Part of their Commiſſion.

3. The Artillery and Ammunition, by the 51*ſt* Article of the Treaty of the *Pyrenees*, remained to him, to whom the Towns were given; and the *Dutch* Ambaſſadors think that Treaty may well be the Rule in this Caſe.

4. For the Sluices of *Newport*, if the *French* ſhould pretend to have them, as 'tis hoped they will not, their Opinion was, *qu'il faut appuyez les Eſpagnols.*

5. The 5*th* Article againſt fortifying at *Meim*, *Maubeuge*, and *Baray*, is better left out by the *Spaniards*, ſince the *French* pretend nothing of that Kind from them.

6. For thoſe Debts *réelles*, they are of Opinion, the *French* ſhould bear their *Quota* in paying them, as in the *Spaniſh* Project is pretended.

7. They think it a hard Caſe that the *French* do pretend to take away from Lords of *Fiefs* the Liberty of reſiding where they pleaſe in Times of Peace; much more, that they ſhould debar them from diſpoſing of their Eſtates among their Children as they ſee Cauſe, but that they muſt do it, with Regard to the Proportion of their Eſtates, under both Kings. In theſe Points, and that of the *Debts*, it was their Opinion, *qu'il faut appuyez les Eſpagnols.*

8. That

8. That it was very reaſonable, to demand the double of thoſe Sacks of Meal, that the *French* are willing to allow for the Subſiſtence of *Mores*.

As I was in this Converſation with them, a Letter was brought M. *Beverning* from the Penſioner, whereby he let him know, that at the *Hague*, they were of Opinion, that the *Spaniards* ſhould give into the Point of Neutrality; but for the other Points, that it was Reaſon to ſupport and ſtand by them. The Articles of Guarranty and Incluſion being to be the ſame in this Project with that which the *French* and the *Dutch* have lately agreed on, they were pleaſed to order their Secretary to give me a Copy of them, which goes hereunto annexed. They gave me likewiſe the Project which the *French* had given in for an Article of Neutrality for them, the *Dutch*, to enter into, with the Retrenchments they had made in it; all that is in it not ſcored, is the Article as it is now ſigned between the *French* and the *Dutch*. I ſend you the *fac ſimile* of it as it was given in, that it may be ſeen what the *French* demand. They gave me in the Clauſe of all the Article that concerns his Highneſs the Prince of *Orange*, which alſo goes herewith. I am, *&c.*

L. Jenkins.

Nimeguen, 12*th July*, 1678.

Right Honourable Sir,

My laſt was of the 8*th* Current; ſince which, I have received the Favour of one from you of the 6*th*, directed to Sir *W. Temple* and myſelf; by which I perceive, his Majeſty expects a more particular Account of the Points concluded between *France* and *Holland* in their new Treaty, and of the Reaſons *Spain* had to refuſe ſigning at the ſame Time, as alſo of the *Plys* that the reſt of the Matter before us here is like to take, upon the Step made by *Holland*. For the Points of the Treaty, now ſigned between *France* and *Holland*, I have not been able to get Communication of them, (five or ſix Articles only excepted, which I have ſent you already, together with the Projects of the Treaties between *France* and *Spain*) till yeſterday the Treaty of Commerce, as well as that of Peace, between *France* and *Holland*, appeared here in Point.

I take leave to ſend you a printed Copy with Apoſtils, by which you'll ſee, wherein the Treaty, as now concluded, differs from the Project that the *Dutch* Ambaſſadors a long while ſince put into our Hands: I have alſo compared this Print with their Treaty of 1662, and where they differ it is noted in the Margent.

I do not find in this Print any Account whereby Hoſtility is to ceaſe with *Sweden*, and yet M. *d'Olivenkrantz* told me, (if I underſtood him rightly) that ſuch an Article there was, only 'tis writ from the *Hague*, that M. *Boréel* brought with him the Copy of an Act, concerning a proviſional Neutrality with *Sweden*, which the States have put to their ſecret Cheſt.

As to the 2*d* Point, which is, that the *Spaniards* did not ſign at the ſame Time with the *Dutch*, it was not that they *refuſed it*, but that it was impoſſible for them to finiſh their Treaty the ſame Day (the 31*ſt* of *July*) with the *Dutch* and the *French*; they had but 6 or 7 Hours Time, after they ſaw the *Dutch* would ſign; and their Treaty then

then was not ſo much as rough-hew'd; beſides that, the *Spaniards* meet with ſeveral new Demands in the *French* Counter-Project, as you'll find in the Account I have already ſent you.

As to what *Plys* the reſt of the Matter here will take, that ſeems to depend upon ſeveral Events, which are yet ſomewhat diſtant and uncertain. As upon the Reſolution the States will take, to ſupport *Spain* againſt the new Demands of *France*, eſpecially that of *Beaumont*, *Bovignes*, and *Argimont*, which I am apt to think, the *French* will not inſiſt upon, thereby to give the States Occaſion to delay the Ratifications.

Another Thing is, the Iſſue of Things before *Mons*; all that we know yet here is, that there was a Ceſſation to laſt till *Friday* Noon, but I perceive by M. *de Gurck*'s Diſcourſe to me laſt Night, that the Allies are in Expectation they will come again to Blows there, unleſs the *French* do give Way that it be revictuall'd; and which is more, he has Advice, that the *Engliſh* Infantry, that came up to *Bruxells* with his Grace the Duke of *Monmouth*, were ſeen ſince the Ceſſation began upon their March towards the Army before *Mons*, whence he would gather, that we are venturing into a Rupture, whatever Courſes *Holland* ſhall take.

Another Thing that will govern Matters here is, the Reſolution that the States will take, touching the Neutrality of *Cleves*, but that is the leſs likely to bring Things to Extremity, in that the States (the Province of *Holland* eſpecially) treated that Affair with more Indifferency and Coldneſs than was to be expected, when it was firſt ſet on Foot at the *Hague* and here; beſides, M. *de Gurck* tells me, that the *Dutch* Ambaſſadors have got a Kind of Promiſe by Word of Mouth, that *France* will allow ſome Sort of Neutrality for ſome Part of that Country.

But as there is a likelihood, the *Dutch* will ſtick at nothing to perfect their Peace; ſo when that is done, the *Spaniards* muſt come in, and conclude theirs, whether they will or no; and if it be true, that the *Imperialiſts* and the *Northern* Allies were dealing underhand, to get into the Ceſſation that was to have begun the 1*ſt* of *July* laſt, if the *Dutch* had then concluded their Peace, it is to me probable they will give into this the Nuncio now propoſeth; for the *Imperialiſts* will by that Means ſave the Point of Honour which they ſtand upon, ſo as to enter into Treaty, and not receive the Conditions of *France* by Way of Dictate, and their Points in Difference are not great.

Herewith I take leave to incloſe a Proteſtation, that M. *Heugh* left with me on *Thurſday* laſt, after the Poſt was gone, againſt the *Dutch*, for that they ſigned this Peace without them, their Allies, it is ſigned by M. *Heugh*, *Blaſpiel*, *Petkum*, and *Termulen* (the *Munſter* Miniſter).

M. *Heugh* made me a Relation of the Manner that this new *Armiſtice* hath been propoſed to him, by reading to me, out of a Paper, that which had paſt between him M. *Blaſpiel*, and others, upon that Subject.

He thought fit afterwards, for the Help of my Memory, to order the Secretary of that Embaſſy to dictate that Paper to Mr. *Chudleigh*, and I humbly take leave to refer myſelf to it, as it goes here incloſed.

Next Day, M. *Blaſpiel* took an Hour of me, and made me a Relation of what had paſs'd berween him and others, upon the Subject of this *Armiſtice*; he had no Orders, he ſaid, upon any ſuch Point, but in virtue of a general Order he had, he was ready to give his Conſent to any

any Thing that ſhould appear to be for the Peace or Good of the common Cauſe; therefore he muſt ſee what the Conditions are upon which this *Armiſtice* is to be, and for how long a Time it is intended: That all that he can yet hear of the Conditions is, that which M. *Kinski* told him, that they may have their Choice to have the ſame Conditions which went before the Peace of the *Pyrenees*, or elſe thoſe before the Peace of *Aix la Chapelle*. But that he, M. *Blaſpiel*, had declared himſelf expreſly, he would not receive the Propoſal of it from the Nuncio, who is not acknowledged by him, nor has he any Commerce with him as Mediator, his Auditor he hath ſeen ſometimes, but not upon Buſineſs.

He began this Subject, with an humble Acknowledgment of his Majeſty's Favour to the Elector his Maſter, in declaring himſelf ſo ready to ſupport him in the Point of the Neutrality of *Cleve*.

This Day at Noon, the *Swedes* Ambaſſadors having taken the Hour of One, came to acquaint me with the State and Condition their Peace with *Holland* is in at this Time, and to leave with me a Copy of the Project of their Treaty of Peace, tho' not of that of the Commerce: M. *Oxenſtiern* began with telling me, that the *French* Ambaſſadors having obtained an Article from the *Dutch* Ambaſſadors, before the ſigning of that Peace between them, that they would proceed with all Diligence poſſible to finiſh their Peace with *Sweden*; that they, the *Swedes*, and the *Dutch*, had ſince met ſeveral Times, and brought their Buſineſs ſo near a Head, that they doubt not but all will have a good Iſſue.

They could not ſay that the Paper they gave me was fully agreed between them, but that M. *Beverning* was gone with it to the *Hague*, and had charged himſelf with repreſenting it to the States; and they doubted not but the remaining Difficulties would be cleared: When he had ſaid this, he told me, that out of the great Reſpect they had to his Majeſty's Mediation, they thought it their Part to acquaint me with all the Steps that were made, and to deſire me to tranſmit their Project to his Majeſty, being reſolved, they ſaid, to carry Things fairly, and with his Knowledge as Mediator; and excuſing that they had not brought me their Project ſooner, having been ſo buſie that they could not, becauſe of ſome Diſpatches they had to make.

Here you'll pleaſe to obſerve, (as I did to them) that they did not deſire me to intervene, or paſs any Office in the leaſt between them and the *Dutch*, nor to charge myſelf with any more, than the conveying of their Project to his Majeſty.

As for the Treaty of Commerce, they ſaid, they are content to paſs it upon the Project that the States had given them; they differ only in two Articles, and they have by Word of Mouth given their *Ultimatum* upon each to M. *Beverning*, and expect his Return upon it.

This Way of proceeding hath, to my Apprehenſion, much of Artifice in it; for thus they do not only decline his Majeſty's intervening for the Peace, by his formal Way of commiſſionating what is done, but they conceal the Points of Commerce; and in all Probability the *Dutch* do in this Point ſtipulate for themſelves thoſe Privileges and Advantages in Trade, which his Majeſty's Subjects have no Title to by Treaty.

When I told him, I was now poſſeſſed of the Ambaſſador of *Denmark*'s Power, and that therefore I did not well comprehend the Meaning of what they had told me lately, that the *Dane* did Treat at *Paris*; they both told me, they were now better able to inform me of what was done there, than they were when they firſt gave me that Hint. It was, that M. *Giöe* is now at *Paris*, and offers to Treat there the Differences

ferences between *Sweden* and *Denmark*, and to make the Moſt Chriſtian King Mediator; and that he has full Power to Treat and conclude in the Behalf of the King of *Denmark*; and hath offered to give the *Swediſh* Miniſter there, or any other he ſhall employ, full Paſſports to paſs to *Sweden*, and to fetch the neceſſary Orders for the making and concluding the Treaty at *Paris*; that hereupon the *Swediſh* Miniſter at *Paris* writes to theſe Ambaſſadors for their Advice and Orders; they ſend him Word back again, that he ſhould not enter into any Negotiation, or make any Step there, it being the King of *Sweden*'s Meaning, that the Peace ſhould be made here, and under his Majeſty's Mediation. They asked me News concerning the *Armiſtice* propoſed here by the Nuncio, they ſaid, the *French* Ambaſſadors had propoſed it to them on *Wedneſday* laſt; that their Anſwer was, that they were not inſtructed in that Point: However, having Orders to follow *France*, in Things that ſhall be good for the common Cauſe, they would not have been againſt it. That *France* ſeemed then to like it, and told them, the Nuncio had aſſured them the *Imperialiſts* and *Spaniards* would give into it; but they have not heard one Word of it ſince. I am, *&c.*

L. Jenkins.

Nimeguen, 13*th Aug.* 1678.

Right Honourable Sir,

I Spoke this Morning with M. *de Haren*, about the 13*th* Article of their Treaty of Peace; he acknowledges the not limiting of the *Guaranty* to this War, to have been an Overſight of theirs, huddling up their Treaty as they did; that the States their Maſters obſerving to them the Slip, they choſe to rectifie it by a Letter which they writ to the *French* Ambaſſadors on *Wedneſday* laſt, they having firſt promiſed to anſwer it as they did; that the Intention was, the Neutrality ſhould be underſtood limitted to this War, and that they, the *Dutch*, ſhould be tyed to it no further, it appearing ſo by one of the Moſt Chriſtian King's Letters (he could not tell which) to the States. M. *Beverning* and he thought this would ſuffice; he could not, he ſaid, ſhew me the Letter that the *French* Ambaſſadors had (all three of them) writ to them, the *Dutch*; for that M. *Beverning* had carried it along with him to the *Hague* to make his Report. The *French* Ambaſſadors had been with M. *de Haren* late laſt Night, to tell him, the King their Maſter had ordered his Ratifications to be ready, and had named M. *d'Avaux* (who is here) his Ambaſſador with the States, and had ſent 1000 more Paſſports for *Dutch* Ships. I am, *&c.*

L. Jenkins.

Nimeguen, 15*th Aug.* 1678.

Right Honourable Sir,

HAVING none from you ſince that of the 6*th* Current, I have little to add to the Trouble I gave you by my Letter of the 12*th*, and by another of the 13*th*, which I deſigned to come Time enough for the ſame Pacquet-Boat. However, herewith I take Leave to incloſe the Duplicate, as alſo a Copy of the Ceſſation at *Mons*, ſince come to my Hands.

I ſhould

I ſhould have told you in that of the 13*th*, how that after I had talked with M. *de Haren*, and had from him the Account I ſent you, touching the 13*th* Article of their Peace with *France*, that I deſired him to have a juſt Regard of the Alliance the States are in with his Majeſty, when they do make up their Treaty with *Sweden*; and that they would be pleaſed to take good heed, that no ambiguous Words be admitted, (to the Prejudice of our Treaties) as ſome of thoſe in the Project ſeem'd to me to be. He told me, they were not ſo near agreeing as might be thought; that they, the *Dutch*, having given in a Project for the Peace, the *Swedes* had ſo altered it, as to make it quite another Thing; and that they did not offer any Thing ſatisfactory for the repairing of the Subjects of this State, who had been ſpoiled at Sea, or had had their Goods taken from them at *Stralſund*, and other *Swediſh* Places, contrary to the Liberty proviſionally agreed for their Commerce; that M. *Beverning* had charged himſelf to report theſe ſeveral Matters in Difference to the States, and that he would be back with their Reſolutions very ſuddenly; and Care would be taken that nothing paſs in that Treaty to our Prejudice.

He told me, that M. *Beverning* had ſince made his Report on *Saturday*, and in doing it, had had ſome hot and high Words with the Burgomaſter *Valkemer*, inſomuch that M. *Beverning* was very earneſt for Leave to lay down his Commiſſion, and to withdraw out of all Buſineſs forthwith, and not ſo much as return again to *Nimeguen*; but that that Matter will be taken up, and that yeſterday was to have been the Day for the States to deliberate upon the Points in Difference between the *Spaniards* and *French*, as alſo between their own Ambaſſadors and the *Swedes*.

M. *Cannon* hath a Promiſe from the *Dutch* Ambaſſadors here, that they will be earneſt with the States to have the Duke of *Lorain*'s Concerns recommended in the beſt Manner to the Ambaſſadors they are now ſending into *France*; he moſt humbly beſeeches his Majeſty, that my Lord of *Sunderland* may at the ſame Time renew his Offices in Favour of that Duke; M. *Serinchamp* having given him Hopes, that notwithſtanding the Anſwer of the Court of *France* to my Lord be not favourable, yet that his Majeſty will not deſiſt.

Being yeſterday upon an ordinary Viſit with M. *Blaſpiel*, he told me, that he was juſt upon coming over, to let me know what he had then newly underſtood, of the Progreſs of that *Armiſtice* which the Nuncio had propoſed, and whereof I gave you ſome Account in my Letter of laſt Week. He underſtood, he ſaid, from a very good Hand, that the *French* had declared their Acceptance of it, requiring this only Condition, that it may not be ſhorter than 6 Weeks Time; for the reſt of the Conditions, they were content that thoſe that were agreed before the Peace of the *Pyrenees* ſhould now take Place: This, he ſaid, he was willing to inform me of, as he had promiſed to do, when any Thing more of this *Armiſtice* ſhould come to his Knowledge. But in this he deſired to go further with me, and to offer it to Sir *W. Temple* (whom he ſuppoſed to be now upon his Return hither from the *Hague*) and to me, whether it would not become us to enter into the ſame Notion of this *Armiſtice*, that moſt of the Parties ſeem to have; and to propoſe it as a Thing tending to the General Peace, to thoſe *Proteſtant* Allies that own no other Mediator but his Majeſty.

I told him, I did not know when Sir *W. Temple* would be here; and as he did not deſire me of my own Head to propoſe it, ſo I ſhould not preſume to do it, without I knew more than I do of his Majeſty's Plea-

ſure upon that Point. I told him in the general, that which I have had Occaſion formerly to tell the *French* Ambaſſadors upon this Point, that it was my Opinion, that when a Ceſſation of Arms is propoſed in the Name of a Mediator (as this muſt be, if it be done at all) it is implied, that he will be the Guarand of it; and that I did not think it was ſafe, or becoming, for a Miniſter to engage his Maſter in a Guaranty, without his Knowledge or expreſs Order. This was my Anſwer to him, and I humbly beſeech you, SIR, that I may have the Honour to know his Majeſty's Pleaſure upon this Point; as alſo what his Majeſty's Pleaſure is, that I ſhould do or act here in the Abſence of Sir *W. Temple*, who ſhewed me an additional Inſtruction he brought along with him, to enter again upon our former Function; but the Inſtruction being jointly to him and me, I think I ought to excuſe myſelf from meddling in any ſuch Thing till he do return, or I have further Orders. I am, *&c.*

L. Jenkins.

Nimeguen, 19th Aug. 1678.

Right Honourable SIR,

SINCE my laſt, which was of the 15*th* Inſtant, I have no *Engliſh* Letters come in; but Mr. *Hyde*'s unexpected Arrival at the *Hague*, and his Propoſition to the Deputies of ſecret Affairs there, affords ſufficient Matter of Talk among the Vulgar, and of refining among the Miniſters here.

Mr. *Hyde* was pleaſed to favour me with Notice of his Arrival, and with as much of his Commiſſion as was fit to commit to a Letter, ſo that it came to my Hand before any one elſe had it here.

YESTERDAY in the Forenoon, M. *Blaſpiel* took Occaſion to call upon me, and to impart to me, what he had received by an Expreſs from M. *Roomſwinckel*, (the *Brandenburgh* Miniſter at the *Hague*) of Mr. *Hyde*'s Propoſition. His Remark upon it was, that the Offer we made to break with *France* was the moſt vigorous that ever was; he doubted not, he ſaid, but it would have a good Effect one Way or other: But when I asked him, whether it would have that Effect, as that upon it the States would forbear to ratifie the Treaty with *France*, and the *Spaniards* ſtand upon their Differences with *France*, ſo as not to wind up their Peace any Way they can get it finiſhed: He anſwered, that he durſt not undertake for either, this Country being, he ſaid, miſerably impoveriſhed by the War, and the *Spaniſh* Governors being diſpoſed to give in to any Manner of Peace, provided there be ſomething left for a Governor in the *Low Countries:* In a Word, he ſaid the *Dutch* were quite weary of the War, and the *Spaniards* in no wiſe able to carry it on.

M. *Beverning* being arrived here on *Saturday* in the Evening, he and his Collegue were pleaſed to come over to my Houſe. M. *Beverning* told me, they were come to communicate with me, by the ſpecial Directions of their Maſters, upon what concerns the *Spaniards* at this Time; they preſumed, he ſaid, I had ſent his Majeſty an Account of the Project and Counter-Project, and of the Points in Difference between the *French* and the *Spaniards*; they hoped I might by this Time have his Majeſty's Reflexions upon them. M. *Beverning* ſaid, the States were of Opinion, the *Spaniards* ſhould enter into the Neutrality, in ſuch covert Words as the *Dutch* ſhould contrive for them, and that they alſo ſhould come to a Temperament about *Dinant*, in accepting a Twelvemonths Time

Time for the making of their Inſtances; but that the States would ſtand by them, in caſe *France* ſhould perſiſt in demanding *Beaumont*, *Bovignes*, &c. and therefore they, the Ambaſſadors, deſired to know of me, whether I had any Orders upon thoſe Points: I told them, I had no Orders upon thoſe Points, nor any Return upon that Subject. From this he went to the Propoſition that Mr. *Hyde* had made at the *Hague*; he was of Opinion, he ſaid, *que le Cas n'eſtoit pas echu*, in Regard the Declaration they got from the *French* for Evacuating the *Spaniſh* Places was (tho' it was by Word of Mouth only) ſufficient, being joined with the Stipulation they had in Writing for the giving up of *Maeſtricht* to them.

Last Night at 7, the *Dutch* Ambaſſadors did me the Favour to call upon me again, and told me, they had acquainted M. *de los Balbaſes* with the Senſe of their Maſters as above, and thought they had diſpoſed him upon the two Points, the Neutrality and *Dinant*, *a paſſer par là*, but had aſſured him withal, the States would maintain him in his refuſing the new Pretenſions of *Beaumont*.

They came to me ſtrait from the *French* Ambaſſadors, where they had been to complement them in the Name of the States, for the King their Maſter had been pleaſed to order his Ratifications to be in ſuch Readineſs; as alſo upon the Nomination of M. *d'Avaux* to be his Ambaſſador at the *Hague*. Then they let themſelves into a Diſcourſe with the *French* Ambaſſadors, about the Points in Difference between them and the *Spaniards*, and let them ſee, that the States did think, that they, the *French*, were not well founded in their new Pretenſions of *Beaumont*, telling them, that the States did take the Thing to Heart, and that the King our Maſter ſhewed a Concern in it; and that they wiſhed very much the *French* would deſiſt from it, for Fear of ill Conſequences.

The *French* Ambaſſadors, on the other Side, ſupported this Pretenſion with the uſual Proteſtations; one of them ſwore, they had no Orders to go off from it, and therefore perſiſted in it all along this Converſation: In the cloſe of all, the *French* came to a new Propoſition (as the *Dutch* term it), that they had to make to them; it was, that the Moſt Chriſtian King would not only make good the Contents of his Letter to the States from *Deinſe*, the 18*th* of *May* laſt, in thoſe two Points, the one of continuing always in the ſame Diſpoſition, to grant the ſame Conditions to *Spain*, that were offered in thoſe Printed ones of *April* laſt, the other, of not attacking any ſtrong Place in the *Low Countries*, when *Holland* ſhould once become Neuter; but would alſo immediately, upon the Ratification with the States, render into their Hands all thoſe Places that ought to return to *Spain*, when it comes into the Peace, and are intended to make up the Barrier; and this is altogether new. To this the *Dutch* Ambaſſadors anſwered, that their Maſters could not, they thought, upon any Terms accept of that Propoſition; it being ſuch, if it be accepted, as will give an intolerable Jealouſie to *England*, diſoblige *Spain* to the utmoſt, and put the *Dutch* (in lieu of the good Husbandry they propoſed to themſelves) to a vaſt Expence, to keep Places that are none of their own. After they had thus excuſed themſelves from this new Propoſition, they, the *Dutch*, repeated again the Repreſentations they had made, of the Inconveniencies that would follow, in caſe they, the *French*, ſhould ſtill perſiſt to have *Beaumont*, &c. and deſired them earneſtly to write to their Court of it, and of the ill Conſequences ſuch a Demand would draw after it.

M. *Beverning*'s Cloſe was, that they would not (at leaſt they did not promiſe to) write to their Court about it, and ſo they parted; they,

the *Dutch*, telling them, they would give an Account to their Maſters of what had paſs'd between them in this Converſation, as they did by an Expreſs laſt Night, favouring me with the Benefit of the ſame Conveyance, to write of this, as I did, to the *Hague*.

M. *Beverning*'s Expreſſions to me were, that the *French* perſiſted in this new Demand for *Beaumont*, and that after two Inſtances made to them, with Mention of the ill Conſequences that this Demand would have, they held to their Concluſion ſtill, but methought they did not look upon them as like to perſiſt finally, and remain immoveable in this Point, which I do take leave to note, becauſe they ſaid, they were to make a Viſit in particular ſome Time this Day to M. *d'Avaux*; and would ſee, whether he had any better Anſwer or not to give them.

M. *Blaſpiel*, in the laſt Converſation I had with him, took Occaſion to complain of what M. *du Croſs* had ſpread abroad to the Prejudice of the Neutrality of *Cleves*, and he ſent me ſome Hours after a Reſolution of the States upon that Subject, the Tranſlate whereof goes here incloſed, whereby I might ſee, he ſaid, what the States were willing do in that Point, and how they treated what M. *du Croſs* had given out as a great Untruth.

M. *Beverning* ſpeaking laſt Night upon the ſame Subject, ſaid there was a great Wrong done them, the *Dutch* Ambaſſadors, in that Surmiſe, about a Paſſage for the *French* Troops by the Way of *Viſſet*, for he ſaid, in the ſeveral Debates they had had with the *French* about the Evacuating of *Maeſtricht*, they may have mentioned ſeveral Ways (by way of Diſcourſe) whereby the *French* might remedy the Want they would have of *Maeſtricht* for ſuch Occaſions, but never was any Thing ſtipulated, or ſo much as offered from them, for the Paſſage of the *French* Troops one Way or other.

M. *de Haren* having ſome Days ſince permitted me Copies of the Letters that had paſs'd between him and his Collegue of the one Side, and the *French* Ambaſſadors of the other, upon the 13*th* Article, and the Extent intended for the Neutrality therein mentioned, found upon Search that M. *Beverning* had carried thoſe Letters along with him to the *Hague*, not leaving any Copy behind him; now upon his Return, I took leave to renew my Suit to them both, and they were pleaſed to ſend me this Morning the Copies of each; the Tranſcripts of which go herewith encloſed. I remain always, *&c.*

L. Jenkins.

Nimeguen, 22*d Auguſt*, 1678.

Right Honourable SIR,

SINCE my laſt, which was of the 19*th*, I have the Favour of two from you, the one of the 12*th*, the other of the 13*th* Current; for both which I moſt humbly thank you, as alſo for the Papers in them relating to the Duke of *Holſtein*, Count *Antoine*, and the *Hamburghers*; according to which, and your Reflexion upon them, I ſhall endeavour to govern my ſelf.

I can never ſufficiently bemoan my Misfortune, in that I have not been able to give that Light which his Majeſty expected from this Place, ſo ſoon as he expected, touching the Contents of the new Treaty between *France* and *Holland*; what Light I had, as alſo how and when I had it, appears by mine of the 12*th*; and I muſt humbly beſeech his Majeſty, to pardon that I could no ſooner make my Diſcovery. What you are

pleaſed

pleaſed to direct as to our not meddling by any Offices whatſoever in the Peace now going on between *France* and *Spain*, (as being avowedly a ſeparate one) is very eaſy to be obſerved on our Part; yet there are Matters intervowen with that Peace, that his Majeſty hath been pleaſed to recommend to us, as having taken them into his ſpecial Protection. I may Inſtance in the Buſineſs of the Dutcheſs of *Savoy*, as towards *Spain*; and the Caſe of the Prince *de Ligne*, towards *France*; I have not yet made any Applications either to the *French* or the *Spaniards* in either Caſe, and would be very glad to have ſome Directions from you, or elſe the Judgment of my Collegues (who I hope may be here 'ere long) to determine me, for it would be hard for us on the one Side to excuſe ourſelves to thoſe Parties, when they know his Majeſty's Orders to be expreſs to us; nor ſhould we be much welcome either to the *French* or the *Spaniards*, if we ſhould appear to meddle in ſuch a Splinter of their Buſineſs, and yet decline our Offices in the main.

The other Branch of your Directions is not to me without its Difficulty. His Majeſty would have us by all Means to interpoſe ourſelves, and even the ſooner the better, to return to the Exerciſe of our Function as general Mediators. But I cannot think it is his Majeſty's meaning, we ſhould offer to interpoſe ourſelves otherwiſe than by inſinuating to the ſeveral Parties, that we are in a Readineſs to do any Offices, and that we have Orders from his Majeſty to let the Parties know, we ſhall do any Thing that lies in our Power, in Order to promote the General Peace; further than this, I think we cannot go; and I think it muſt be with ſome Circumſpection, in Regard of the King's Dignity, if we offer ourſelves ſo far.

I told you in ſome of my laſt, how the *Swedes* are pleaſed to balk us with a Complement, in acquainting us forſooth with all that paſſes between them and the *Dutch*, but not making uſe of our Offices; the *Dutch*, on the other Side, have not ſo much as made us any ſuch Complement.

The *Imperialiſts* and the *French*, you know, have another Mediator; and you have, I doubt not, obſerved in ſome of our Letters long ago, ſeveral little Drifts uſed by the *Imperialiſts*, to play all their Part into his Hands; the *French* then would not comply with them, but I can ſcarce think they will be now of the ſame Mind; and if they ſhould agree, either to treat immediately between themſelves, or to make uſe wholly of the other Mediator, I do not ſee in that Caſe any Place for us to interpoſe ourſelves, or to return again to the Exerciſe of our Function as to them.

Last Night very late, the *Dutch* Ambaſſadors were pleaſed to call upon me, and to acquaint me, they had then newly received the Anſwer of the States their Maſters upon the Propoſition that the *French* had made them here; which was, that the Moſt Chriſtian King would not only execute the two Points he had promiſed in his Letter from *Deinſe* of the 18*th* of *May* laſt, (the Points were, that *Holland* coming into a Neutrality, the Moſt Chriſtian King would attack no more Places in the *Low Countries*, and would be always ready to give the *Spaniards* thoſe Conditions he had offered them in *April* laſt) but would alſo, upon the Exchange of the Ratifications between him and the States General, put all the Places into their Hands, that are intended to return to *Spain*, and to make up the Barrier: To this Propoſition, the States have directed theſe Ambaſſadors to anſwer, that they cannot accept of it by any Means; for that which was the Letter from *Deinſe*, was made upon a Suppoſition that *Spain* would not enter then into a Peace; but that now

now *Spain* having declared its Acceptance of the Conditions of *April* laſt, and that it is moſt ready to entertain the Peace upon thoſe Conditions, that which is now offered by the *French*, is *hors de propos*, the State of the Queſtion being now quite chang'd. To this the *Dutch* Ambaſſadors are directed to add their Inſtances, that the *French* would deſiſt from the new Pretenſions they have ſince ſet up, and keep themſelves within the Bounds of thoſe Conditions they offered in *April*.

Another Thing they told me was, that the States had ſent them a Reſolution of their own, whereby theſe Ambaſſadors are directed to do their utmoſt here, for the promoting and fixing of that Ceſſation of Arms which hath been ſo much talked on, as propoſed by the Nuncio about a Fortnight ago, the States judging it would be a Thing very conducing to the General Peace. They came, they ſaid, to inform themſelves from me, in what State the *Armiſtice* was; I could give them no other Account of it, but what I had had of it from themſelves; of which I gave you an Account in ſeveral of my late Diſpatches. They told me, they intended to make mention of it, and of the Judgment of the States upon it, in the ordinary Aſſembly of the Allies this Afternoon; they thought the *Imperialiſts* would be no great Friends to it, and this moves from ſome Changes the Biſhop of *Gurck* hath wrought, ſince his Return from *Cologn*, upon his Collegues; for it was generally believed here, it moved mainly from them in the Biſhop's Abſence.

The Biſhop, in a Viſit he was pleaſed to favour me with on *Monday* Night, did not indeed ſeem to have any Inclination for it, complaining ſtill of the Way the *French* took, and have not yet departed from, of impoſing and obtruding Conditions upon thoſe that are in War with them; otherwiſe the Emperor is willing to enter into any tolerable Peace; and there might be Expedients found out, ſaid he, about the two Places (which make the only great Queſtion) *Fribourg* and *Philipſburgh*. He repeated to me what he had in former Converſations often ſaid, that it was not to be expected, but that *Spain* would grow quickly weary of maintaining the Places they have in the *Low Countries*.

One Thing M. *Cannon* told me on *Tueſday* Night, which is very remarkable, concerning the *Dutch* Ambaſſadors, that they have ſupplied the great Omiſſion they had made in their haſty Treaty by an Act *ex poſt facto*, for now it is ſaid, that they have an Act in Writing from the *French* Ambaſſadors, (bearing the ſame Date with their Treaty) whereby 'tis ſtipulated, that the Places that are to return to the *Spaniards* ſhall be reſtored them, upon the Exchange of the Ratifications between *Spain* and *France*. M. *Petcum* told me the ſame Thing, but neither of them would ſay the Thing poſitively, nor whence they had it, nor would M. *Petcum* ſay, the Act was *ex poſt facto*: The *Dutch* Ambaſſadors told me indeed the other Day, that the States do intend to have the Explication of the 13*th* Article about the Neutrality inſerted into the Ratifications, and this poſſibly may be the Reaſon that the *French* diſpatched two Couriers between *Sunday* and *Monday* laſt, the one upon the Subject of *Beaumont*, *Bovignes*, &c. which is acknowledged, the other may be to get new Ratifications with this Clauſe inſerted. This is but my Conjecture. I am, *&c.*

L. Jenkins.

Nime-

Nimeguen, 23th Auguſt, 1678.

Right Honourable SIR,

THO' I writ by the Ordinary yeſterday, I am forced to trouble you again by this Expreſs.

YESTERDAY in the Evening, between 5 and 6, was with me M. *Stradtſman*, in the Name of the *Imperial* Embaſſy, to acquaint me, that the *Dutch* Ambaſſadors had been with him and his Collegues the Night before, to offer them their Offices, both for a General Peace, and for a Ceſſation of Arms, yet deſiring this Offer might ſo be underſtood, as not to intend any Prejudice in the leaſt to his Majeſty's Mediation.

THAT they had anſwered them, they were not averſe, either from the one or the other; but that their Orders would not permit them to do any Thing but with joint Concert with their Allies, and with the good Liking of his Majeſty, who hath ſhewed ſuch unparallell'd Zeal for the procuring of a General Peace to *Chriſtendom*.

THAT thereupon he and his Collegues had thought fit I ſhould be acquainted with this Offer, and the Anſwer to it; adding, that as the Emperor had entered into this War for no other but Publick Ends, (he named two, the defending of the Empire, and *la Seureté publique celle de ſes voiſins & de toute la Chriſtienté*) ſo he was ready to go out of it, if the King ſhall judge thoſe great Ends like to be in ſome Meaſure attained by any other Means than that of continuing the War.

THAT if his Majeſty, and the Emperor's Confederates in this War, ſhall judge that a Peace, ſuch as may be had at this preſent, will be a Means to ſecure the Ends aboveſaid, and that a Ceſſation of Arms will conduce to ſuch a Peace, the Emperor will give into the Ceſſation, and conſequently to any Peace that ſhall be reaſonable: But if his Majeſty and theſe Confederates ſhould think the purſuing of the War to be more likely Means to come by ſuch a Peace, the Emperor will go on in the War in Conjunction with his Allies, and will enter into Meaſures with his Majeſty, if he ſo pleaſe, for his coming into it.

THAT he made it his Requeſt to me, in the Name of his Collegues and his own, to repreſent this to his Majeſty; the Emperor relying perfectly upon his Majeſty's Judgment in chooſing, and upon his Power in advancing the moſt probable Means to a General Peace; particularly upon the Judgment the King ſhall make, whether a Ceſſation of Arms at this Time be a proper Means, and may conduce to a General Peace or not; deſiring withal, I would uſe my Diligence, they being extreamly concerned, he ſaid, to know ſomething, if they may be ſo happy, of his Majeſty's Judgment.

FOR my Diligence, I made no Difficulty to promiſe it; but I deſired he would let me take from him in Writing what he had told me; but he excuſed himſelf, for that the whole Embaſſy was not preſent: I let him know upon this Occaſion, the freſh Orders we had from his Majeſty, by all Means to embrace all Opportunities offered us, of ſerving the Emperor in his Intereſts, any way that his Ambaſſadors ſhould propoſe; but craved Leave to obſerve to him, that the Point of his Majeſty's entering into Meaſures with the Emperor for the carrying on of the War, would not come ſo properly before the King from his Miniſters here, as from the *Imperial* Miniſters now at the Court.

AT 7 M. *Heugh* came to me upon the ſame Occaſion, and acquainting me with the Offer the *Dutch* Ambaſſadors had made of their Offices, with

with the Regard they declared to have to his Majeſty's Mediation; he told me, his Anſwer was, that he could do nothing without the Conſent of his Allies, nor yet without the Participation of his Majeſty; partly for that they were not to depart from the only Mediator the King his Maſter had received; and partly, for that in a very late Treaty (of the 4*th* of this Month) between *Denmark*, *Brandenburgh*, and *Munſter*, the Parties had agreed upon a ſpecial Deference to be paid to his Majeſty, and therefore could not enter into any *Armiſtice* without his Majeſty's Knowledge; the Article he ſent me preſently afterward, and goes here incloſed.

The *Dutch* Ambaſſadors had told him, he ſaid, they intended to propoſe this *Armiſtice* at the Conference of the Allies yeſterday in the Afternoon, but that he had prevailed with them to forbear for the Reaſons aboveſaid, otherwiſe that he and M. *Blaſpiel* muſt oppoſe the Propoſition of the *Armiſtice*, which they would not willingly do.

M. *Blaſpiel* had been with me a little before theſe two, upon the ſame Subject; he was inquiſitive to know, whether I had any Orders to propoſe a Ceſſation; if I had, he concluded his Majeſty would preſently disband, which would be ill for the Allies: I told him, I had Orders to do any Office that belong'd to our Function for the promoting of the General Peace, but that for the propoſing of a Ceſſation, I was not yet inſtructed. He ſaid, if it were propoſed with *France* alone, he would accept it; if with *Sweden*, his Orders were not to do it; but in either Caſe, the Elector would hearken very much to his Majeſty: Then telling me what new Obligations he had entered into to do it, he referr'd himſelf to what M. *Heugh* ſhould tell me of the Article incloſed.

He, as well as M. *Heugh*, deſired me to acquaint his Majeſty upon this Occaſion, with the Dependance of their Maſters upon what his Majeſty ſhould pleaſe to reſolve for the Publick Good, that if it be by the way of Arms, they hope their Conjunction will not be unuſeful; if by way of a Ceſſation or Peace, they are ready to give in to both upon any reaſonable Terms.

This Application was, I doubt not, made of Concert between theſe 3 Ambaſſadors; their Drift ſeems to me to be, to diſcover whether his Majeſty will declare himſelf to their Maſters, that he will enter into Meaſures with them for breaking with *France*, tho' the *Dutch* ſhould make their Peace; if his Majeſty do ſo, they have that which they moſt deſire; but if his Majeſty ſhould find that the *Dutch* will not continue in the War, but will ratifie, and ſhould conſequently have no Mind to enter into the War with the Emperor and the *Northern* Allies, they would then be glad to have his Majeſty's Name and Countenance to bring them into this Ceſſation. But then I muſt humbly deſire it may be conſidered, that this Ceſſation will be driven on (as muſt needs be) by the *Dutch* Ambaſſadors; nay, I am confident it would work out its own Way, tho' no Hand were to it; but for us to propoſe it here, while the Queſtion of the *Cas echu ou non*, is depending between us and the *Dutch*, and that his Majeſty hath not the Anſwer of the *Dutch* upon it, would be of little Service to the Publick, yet of ſome Diſadvantage (I fear) to his Majeſty. We now pretend that the *Dutch* ſhould declare *que le Cas eſt echu*, and that they will not ratifie with *France*, but go on with the War, and they doing this, we would do our Part in breaking.

'Tis whiſpered here underhand, that tho' the *Dutch* ſhould refuſe to ratifie, yet that *England* would not, for all that, come to a Rupture; this is an impudent Surmiſe, but no Ground or Colour ſo much as pretended for it; and if we ſhould at this Time, that we are in Expecta-

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tion the *Dutch* will refuſe to ratifie, and go on in the War, promote or propoſe this Ceſſation, every body would conclude, that it was never our Meaning to enter into the War: For it cannot be imagined, that we will recommend a Ceſſation to the reſt of the Allies, at a Time that we intend to imbark in the War, and make Account the *Dutch* ſhould go along with us. On the other Side, 'tis to me a ſtrong Argument, that the *Dutch* are reſolved to get out of the War, and to ratifie, ſince they have ſo ſtrictly enjoined their Ambaſſadors to promote this Ceſſation with all their Might: Therefore I humbly conceive we ſhould ſee the *Spaniſh* Peace ſigned, and the *French* Peace ratified by the *Dutch*, before we meddle in this Ceſſation; but this I leave with the perfecteſt Submiſſion poſſible to his Majeſty.

'Tis now One a Clock, and the *Dutch* Ambaſſadors give themſelves the Trouble to let me know from themſelves, what paſs'd between the *French* and *Spaniſh* Ambaſſadors, who were aſſembled in their ſeveral Appartments in their Houſe from 9 to 12 this Morning; they having mediated all they could, they ſaid, between the Parties, upon the Points in Difference in their reſpective Projects, and they are now come to theſe Terms;

1. For the Places controverted, the *French* deſiſt from the Demand of *Bouvignes*, *Argimont*, *& le Païs de la* Sambre, but inſiſt ſtill upon *Beaumont*.

2. For *Dinant*, the States offering them to warrant the Poſſeſſion of it, the *French* accept the Warranty; but the *Spaniards* inſiſt to have 3 Years Time (to begin when the War is ended) to procure the Ceſſion of it; the *French* will not grant ſo long a Term; the *Dutch* would have the *Spaniards* content themſelves with 12 Months.

3. The *Meſſinois*, that were ſcarce thought of, at leaſt were paſs'd over laſt Time among the Concerns of particular Perſons intended to be left out of the Treaty, make a great Obſtacle now; the *French* will have them reſtored to their Goods and Eſtates, ſaying, they had inſinuated this as a Condition *ſine qua non*, by the Nuncio to M. *de los Balſes*, ſome Days before the Duke *de Villa Hermoſa* had declared his Acceptance of the other *French* Conditions; but the *Spaniards* have direct Orders from *Madrid*, not to conſent to any ſuch Thing.

4. The Neutrality ſhall be concluded in the Terms of the 13*th* Article of the *Dutch* Peace with *France*, adding a Limitation for the Courſe of this War only.

5. The Articles of the Fortifications and the Artillery to be left out.

6. The *Debtes reelles*, and the *Enclavements*, to be left to Commiſſioners; and the Sluices of *Newport* are agreed about.

7. *Les Bois couppez*, none to be cut down after ſigning; and what is not carried off the Ground at the Ratification, to remain to the *Spaniards*.

8. *La Demure de Vaſſaux*, to be regulated as in the 19*th* Article of the *French* Project.

9. There is like to be a Difference, which hath not been yet debated, touching the *Chaſtellanie* of *Aeth*; the *Spaniards* would have it return to them, as it was given to the *French* by the Treaty of *Aix*; the *French* would reſtore no more but what is now belonging to that *Chaſtellanie*, two thirds having been diſmembred of it ſince it is become *French*, and annexed to that of *Tournay*.

Having given me this Detail, they ſaid, both Parties were ſtill very ſtiff, but moſt of their Choler was ſpent about the *Meſſinois*. As for *Beaumont*, they ſaid, the Demand that the *French* made of it, was not upon any Orders they had, but by way of Anſwer to what the *Dutch*

had told them on *Sunday* laſt, of the Reſolution of the States to ſtand by the *Spaniard*, and to oppoſe that Pretenſion; they hope, when that Courier comes, he will bring Orders to deſiſt altogether from that Demand. *Beaumont* is but a *Comté* of 13 Villages, and M. *Beverning* added, he did ſee no Likelihood that his Majeſty will continue the War for it, or for a longer Term about *Dinant*, or for the *Meſſinois*, or ſuch Matters as are but of little Moment in compariſon of the Peace of *Chriſtendom*; however, they, the *Dutch* Ambaſſadors, could bring the Parties no nearer, therefore muſt report again to their Maſters. They ſay, the *French* are *fiers*, and that ſome of their Domeſticks give out, that we in very few Days ſhall hear of News, that will be Matter of Aſtoniſhment to the World.

I ſtayed this Expreſs ſome Hours, becauſe M. *de los Balbaſes* had ſent to take an Hour of me, to tell me what paſs'd this Day between him and the *French*. They are forced to go into this Peace, becauſe the *Dutch*, without whom they cannot ſubſiſt, will have it ſo; but that their chief Reliance is upon his Majeſty's Protection, *&c.* I am, *&c.*

L. Jenkins.

Nimeguen, 26th Aug. 1678.

Right Honourable SIR,

I Troubled you with a Letter on *Thurſday* the 22*th* by the Ordinary, and with another next Day by Expreſs; I have ſince received the Favour of yours of the 20*th* Current, and therein his Majeſty's Pleaſure, that I ſhould propoſe a General Ceſſation of Arms to all the Parties, for 6 Months Time: I did it immediately upon the Receipt of your Letter, his Majeſty's Orders were ſo clear and preciſe, that I did not demur in the leaſt to execute them, notwithſtanding the little Reaſons I had taken Leave to lay before you, for my deferring the doing of that Office yet for ſome Days.

I ſpoke with all the Parties that are in Town yeſterday, M. *Cannon* excepted; but moſt of them having deferr'd their Anſwer till this Day, I reſerve to account of them in the cloſe of my Letter, (if they come Time enough) and continue the Thread of what hath paſs'd between the *French* and *Spaniards* on *Saturday* laſt.

I gave you an Account by the Expreſs, of all that paſſed on *Friday*; when they parted that Day, the *Spaniards* expected no more Conferences, till M. *Beverning* and they ſhould have a Return from the *Hague*; but M. *Beverning* changed his Mind, and coming to M. *Balbaſes* at 9 on *Friday* Night, perſwaded him to give the *French* a Meeting on *Saturday* Morning, which he did at the *Dutch* Ambaſſadors.

THE *firſt* Thing that the *Spaniards* put to the *French* was, to have the *Chaſtellanie* of *Aeth* made over to them, in the ſame Extent that they had made it over to *France* in the Treaty of *Aix la Chapelle*. The *French* being immoveable in this Point, the *Spaniards* would have broke up; but the *Dutch* prevailed with them to ſtay, and go on, ſaving to themſelves the Right to reſume that Article.

FROM this they went to that of *Dinant* and *Charlemont*, the *French* would have *les Appendances* and Dependencies of either tranſmitted to them; but the *Spaniards* ſay there is no more in the *French* Conditions than they have accepted, but *le Ville de Charlemont au elle de Dinant*,— but no mention of *Dependencies*.

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The *French*, in the Article of the *Franche Comte*, ſet down *Beſançon* with its Dependencies; the *Spaniards* replied, that is not neither in the *French* Conditions; for though it be ſaid, that *la Franche Comte entiere* ſhall be quitted to *France*, yet that does not comprehend *Beſançon*, but this they would quit, tho' not without ſome Recompence for it.

The next Pull they had was about *Beaumont*; the *French* would have it to have been all this while in their Poſſeſſion, becauſe they had a Garriſon in it; the *Spaniards* pretended the Poſſeſſion to be on their Side; for that the King of *Spain* had received his Droits from it all along, and *France* no more but its Contributions; that the pretended Garriſon was never above 25 Men, and thoſe not to defend it, (for it was an open Place) but to gather the Profits belonging to the Lord of it. As in this Article they could do no good, ſo in that about the *Meſſinois*, the Parties were irreconcileable; and this was all they did (or rather thus they did nothing) in four Hours Conference in the Forenoon.

I had this Account from M. *Chriſtine*, upon a Reſolution he ſaid of his Collegues; for tho' I had told him plainly enough, and M. *de los Balbaſes* too, that I was in no Capacity to do them Service in their Treaty, yet they could do no leſs, they ſaid, than acquaint his Majeſty's Miniſter with every Thing that paſt, ſince it is to his Majeſty that they owe it wholly, that they hold up their Heads here, for without him they ſhould have had no Treaty at all, nor *la Centéeme partie*, of what is like to be accorded them by this Treaty, as bad as it is. He and M. *Balbaſes* complain heavily of the Earneſtneſs wherewith M. *Beverning* preſſes them, ſuppoſing he is not ſo earneſt with the *French*.

At four yeſterday in the Afternoon, the two Ambaſſadors met again, and were five Hours together; they brought their Buſineſs to this narrow Compaſs: 1. The *French* did quit the Villages of *Beaumont*, but would keep the *Chateau*, and would give them an Equivalent elſewhere, therewith to purchaſe thoſe Villages again; at laſt the *French* came to this, that if the *Spaniards* will be content with the *Chaſtellanie* of *Aeth*, as now it is, they would give ſuch an Anſwer both touching *Beaumont* and the *Meſſinois*, (which are the great Points in Difference) as the *Dutch* Ambaſſadors would be ſatisfied with.

Thus they parted on *Saturday* Night at nine, and M. *Chriſtine* and M. *Haren* did me the Favour, as ſoon as their Conference was over, to come ſeverally, and give me this Account.

When I was yeſterday with the *Imperialiſts*, about the Ceſſation, they told me, the *Spaniards* had been with them, and had let them know, that all was agreed between them and the *French*. M. *de los Balbaſes* told me, he had writ to *Don Emanuel de Lyra*, that they muſt ſubmit; yet when I was with the *French* Ambaſſadors, they would not own that they were ſo near agreed, though they did not complain about any Thing ſo much as about the *Chaſtellanie* of *Aeth*, the *Dutch* Ambaſſadors could not tell me yeſterday when they would meet to finiſh the ſame, but have ſent Courriers this Day to *Bruſſels*, and *Fountain Bleau*.

Inclosed I take leave to ſend you a Copy of my Letter to the Duke *de Luxemburgh*, in Anſwer to his. His Secretary ſaid, he came hither on purpoſe to fetch my Anſwer, which I doubt will not pleaſe; firſt his Secretary would have me inſinuate the Duke's Demand to the *Spaniſh* Ambaſſadors, which would have been a Fault; next, he would have had me anſwered the Duke, that I regiſtred his Pretenſions among the Acts of the Mediation: 'Tis true, they will lie in their

Order, as other Papers do that make a Part of the Amount hence, that is to lie in his Majeſty's Archives; but the *Spaniards* would have Reaſon to ſay, I did them wrong to certify I had regiſtred this Thing to their Prejudice, and not call them to it; beſides, he would have had me ſaid in my Letter, I had Orders from his Majeſty to ſerve the Duke of *Luxemburgh*; I acknowledged to him I had ſo, but I did not think it proper to put it into a Letter, that I was ſure would come to the Hands of the *Spaniards*. That which I like worſt in this Secretary was, he would have perſwaded me, the Nuncio had writ an Anſwer to the Duke ſo and ſo, which tho' it might be no Argument to induce me, yet I have Reaſon to believe 'twas otherwiſe.

'Tis now 12 a Clock, and I hear not from any of the Parties touching the Ceſſation, I know they have been (and ſome of them are now) together upon this Subject: I ſhall therefore be brief in my Account of what the ſeveral Parties have already anſwered upon my propoſing of it.

I begun with the *Dutch*, both in Regard of the Confidence I live in with them, and of the Zeal their Maſters have to promote a Ceſſation; they were glad of the Overture, and ſaid, they would promote it with all their Might in the Aſſembly of the Allies this Evening; they ſaid, it would be a hard Matter to adjuſt the Conditions of a Ceſſation, when we ſhould come to fix them; eſpecially the Quartering of Armies. M. *Beverning* asking me, where the *Engliſh* Troops, that are now in *Flanders*, (eſpecially the 3000 Horſe that are now a tranſporting) ſhall be diſpoſed of during the ſix Months. M. *Haren* ſaid, that ought to be no Part of his Care, but that it was a Buſineſs to be adjuſted between *England* and *France*.

The *Imperialiſts* would not refuſe, they ſaid, a Ceſſation, nor any other Means tending to a Peace, but can do nothing but in Conjunction with their Allies, and therefore they took Time to ſpeak with them.

The *French* are ready, they ſaid, to enter into it, provided it be general, and do take in all their Allies; that they thought ſix Months ſo long a Time, four would be enough; and they take it for granted, it is not intended to change any Thing in the Ceſſation now eſtabliſhed between the Armies in *Flanders*.

The *Swedes* deſired Time to look upon their Inſtructions, and to conſult with their Allies.

The *Danes* had no Orders, but expected Letters this Morning, with the Reflexions of that King upon the Advices he had given of the firſt Mention that was made here of this Ceſſation, about a Fortnight ago.

The *Brandenburgher* had given the ſame Advices, but he could not hope till the latter End of this Week, to have the Elector's Anſwer; yet he would not be againſt the Ceſſation. His Highneſs the Prince of *Orange* had cauſed him to be writ to very lately, that it would be for the Elector's Service to give into it; but he hoped, his Majeſty would not diſarm for all the Ceſſation, but that he would ſee the Peace firſt made.

M. *Cannon* ſubmits to it, purely becauſe 'tis propoſed in his Majeſty's Name, otherwiſe he cannot think of it, he ſaid, without Horror, ſince it leads to a Peace, that will be the burying alive of his Maſter, and the exterminating of his Houſe; all his Hopes are in his Majeſty's Protection.

I have not ſeen the *Munſter* Miniſter, but the *Dutch* Ambaſſadors tell me, that Biſhop threatens to leave the Party, if they ſhould offer to refuſe the Ceſſation.

Here is none with Character from the Houſe of *Brunſwick* in Town; I was with M. *de los Balbaſes*, though he be in a Ceſſation already

ready as to *Flanders*, but he denies to come into this for the reſt of that Monarchy.

All the Parties did ſpeak with great Reſpect of his Majeſty's Care and Zeal for the General Peace, and there was no Body but did acknowledge the propoſing of this Ceſſation, to be a great Inſtance of it, and that therefore they received the Propoſition with all Reſpect and Veneration for his Majeſty. I am, *&c.*

L. Jenkins.

Nimeguen, 26th Auguſt, 1678.

Right Honourable Sir,

THE *Dutch* Ambaſſadors were pleaſed to call upon me, as they go off from the Aſſembly of the Allies, to tell me there was nothing reſolved there about the Ceſſation, tho' it was the only Subject of their Diſcourſe. All they did was, to deſire the *Dutch* to come to me, and know what the Reſolution of the *French* and *Swedes* was. I ſent the Biſhop of *Gurck* Word laſt Night by his Secretary, whom he had ſent to me on Purpoſe to know what the *French* had anſwered, they had anſwered very frankly for the Acceptance, and I gave the *Dutch* Ambaſſadors the ſame Account. M. *de los Balbaſes* came to me, as ſoon as they were gone, to let me know, he had changed his Opinion, and that he will not pretend or deſire to enter into this Ceſſation, for Fear if he do, the *Dutch* ſhould take a Pretext thence, and change their Ratifications, and ſo leave them the *Spaniards* in the Lurch; he ſays abſolutely, he'll never ſign the Peace, unleſs the *French* do quit to them the *Chaſtellanie* of *Aeth* entire. He finds now there are no leſs than 2 *Villes* and 60 Villages diſmembred of it, which are much above the Value of *Beaumont*, &c. that the *French* are willing to quit; ſo that I know not what to ſay to this freſh Difficulty. I am, *&c.*

L. Jenkins.

Nimeguen, 29th Auguſt, 1678.

Right Honourable Sir,

I Troubled you on *Monday* with two Letters, one at the uſual Hour, the other ſome Hours later, M. *Beverning* having ſtopt the Ordinary till after the Conference of the Allies was finiſhed. We have no *Engliſh* Letters ſince come to Hand.

Tho' I have been with the *Swedes* on *Sunday*, *Monday*, and *Tueſday*, to ſollicit them all I could to enter into the general Ceſſation that is here propoſed in his Majeſty's Name, yet I have not been able to get them to conſent to it, nor to give me a categorical Anſwer; they promiſed me their Anſwer yeſterday, for they ſaid, they muſt ſpeak once more with their Allies, before they could come to any Reſolution. M. *d'Olivenkrantz* (for I was with him in particular) did argue much againſt it, partly from the many Difficulties we would have, to adjuſt the Terms and Conditions of it; partly from the too great length of it, and in that the *French*, he ſaid, as well as they, wanted a Power ſufficient to conſent to a Ceſſation of ſix Months; partly for that it is neither in their Powers, nor in their Inſtructions, to conſent to any ſuch Thing.

I told him, that I deſired at this Time no more but their Declaration in the general, that they would accept of a Ceſſation upon the propoſing of

of it in his Majeſty's Name, which I was confident, no other of the Parties would refuſe to do; that when that were done, we ſhould enter immediately upon the adjuſting the Conditions, and that among the Conditions, the Term or Time would be a principal One, and then each Party would be heard to debate *pro* and *con* the longer or ſhorter Term. For their Want of Power, I could not but obſerve to him, that it is not yet three Weeks ſince they declared their Acceptance of a Ceſſation of Arms at the Inſtance of the *French*; and that if they had Power then, they could not want it, I hop'd, at this Time. Another Thing, he ſaid, that if the Allies ſhould ſucceed in their Deſign upon *Rugen*, the *Swedes* ſhould not be able to enter into any Ceſſation, unleſs the Allies would diſlodge thence; all this paſt between us on *Tueſday* Morning by Way of Converſation, but he promiſed I ſhould have his Anſwer and his Collegues as yeſterday.

I took this Occaſion to enter into Diſcourſe with him, as by his Majeſty's Command, about their Treaty of Commerce, that is now making with *Holland*. I laid before him the Aſſurances his Majeſty ſuggeſts to himſelf of the Kindneſs of *Sweden* towards his Subjects in the Point of Trade, and of the good Intentions of that King towards us, rather than any other Nation; as M. *d'Olivenkrantz* himſelf had often declared it to his Majeſty and to his Miniſters on that Side.

He acknowledged he had entertained his Majeſty, my Lord Treaſurer, and yourſelf, upon that Subject; but that Things have ſo fallen out ſince *qu'il avoit à preſent les mains liées*, that the *Dutch* had made uſe of this Pinch to get all they pretended from them, and had preſſed them long and hard for equal Privileges to the Subjects of *Holland* with the Natives of *Sweden* in their Ports and Countries; that they, the *Swedes* Ambaſſadors, had deſired the *French* to ſtand by them, and to diſſwade the *Dutch* from preſſing ſuch unreaſonable Things; that the *French* were ſo far from doing that, that they preſſed them, the *Swedes*, to yield to every Thing the *Dutch* demanded of them, telling them, that otherwiſe they could not ſtand by them. That to ſave themſelves from making the *Dutch* equal with the *Swedes*, which would have been intolerable; he fears they will be forced to conſent to another Propoſition, which is of M. *Beverning*'s, that the *Dutch* ſhall have equal Privileges with any other Nation whatſoever that is in Amity with *Sweden*: *Amiciſſima quæque gens extra*, are the Words, he ſays, that M. *Beverning* has couched that Demand in; he ſays, the Thing is not yet adjuſted at the *Hague*, nor do they know the final Reſolution of the States upon it; but he did not give me any Hopes, that they, the *Swedes*, would reſerve to themſelves a Liberty to gratifie the King's Subjects in Point of Trade, tho' he acknowledged very fully, that our Traders bring them much more Advantage than the *Dutch* do, and conſequently ought in Juſtice and Reaſon to be more encouraged.

On *Tueſday* Evening the *French* Ambaſſadors were with the *Dutch*, on the Differences between the *Spaniards* and them; they offered, as the *Dutch* Ambaſſadors told me, to refer the Differences concerning *Beaumont* and the *Meſſinois* to the Arbitration and Deciſion of the States General, and to do it by an Article, the Treaty being concluded and ſigned as to the reſt. For the *Chaſtellanie* of *Aeth*, they could do nothing without Orders from Court, and they complained that the *Spaniards* had kept this in Deck, without mentioning it when they were upon the Article for the Ceſſion of Places; but in this the *Dutch* do excuſe the *Spaniard* from having had any ſuch Deſign, each Party had couched the Ceſſion as

as they pretended it ſhould take Place, but they who mediated, did not obſerve the Difference.

The *Dutch* Ambaſſadors told me upon this Occaſion, they had received that Day moſt preſſing Orders from the States, for the doing of their utmoſt to bring the Peace of *Spain* to a Concluſion, but that they did not know what further to do in it; they have prevailed with the *French* to ſend an Expreſs to their Court, to have the laſt Reſolution of their King touching the *Chaſtellanie*, which would come, they ſaid, very late, in Regard there is a Month already paſs'd of the Time prefix'd for ratifying their Peace with *France*; M. *Beverning* adding, that he ſees ſome Difficulties ariſing in ſeveral Provinces, and in ſome Towns, about the Ratifications, that he does not well know what this Buſineſs will end in.

On *Monday* M. *Muller*'s Secretary came to my Houſe, to ask an Hour of me, that M. *Schutz*, the Plenipotentiary of the Dukes of *Lunenburgh Zell*, might come and viſit me. I ſent him Word, I knew of no Plenipotentiary of that Duke but M. *Muller*; that I had heard indeed of M. *Schutz*, that had negotiated here for ſeveral Months as Miniſter of that Duke, but he having not taken Notice of his Majeſty's Ambaſſador all this while, I could not now ſee him, till I knew his Majeſty's Pleaſure in the Caſe: To this the Reply was, that he arrived but on *Sunday* Night from the *Hague*; he confeſſed indeed M. *Schutz* had been here for ſome Time, but had not negotiated; that when the Allies were to give in a Proteſtation againſt the *Hollanders*, and would have had him to ſign it, he excuſed himſelf from doing it, as being a private Perſon, and having no Commiſſion; that he had indeed viſited ſeveral Ambaſſadors, but that it was upon the Score of Acquaintance: To this I ſaid, I would humbly take Leave to lay the Caſe before his Majeſty, and wait his Pleaſure upon it. Yeſterday he ſent me his *Plenipouvoir*, ſaying, the Orders of his Prince were, that there being a Ceſſation here a Treating, he ſhould concur in it with the reſt of the Allies: I excuſed myſelf from receiving his Powers, till I have the Honour to know his Majeſty's Pleaſure upon it.

'Tis certain, that this Perſon has had the Reputation of being the *Zell* Miniſter here for ſeveral Months; I will not take upon me to ſay, that his taking a Turn to the *Hague* at this Time, and then his coming to offer me a Viſit, and his *Plenipouvoir*, has been done in order to elude our Pretenſion; but I dare not proceed to receive him, ſince I ſee his Majeſty is as ſtrict as ever in the Caſe of C. *de Antoine*; and I would not give him the Advantage to charge us with leſs Strictneſs towards others; but if his Majeſty ſhould pleaſe to order me to receive his Powers, I ſhall do it, and enter into Buſineſs for him; wherein I beſeech you to favour me with your Directions in this Caſe, and in that of M. *Termulen*, which is the ſame; and if he ſhould take a Turn to his Maſter, (as he hath pretended he would do) and then come back and offer me his Powers.

Just now at One, M. *de los Balbaſes* does me the Favour to come and tell me, the *Dutch* Ambaſſadors had been with him late laſt Night, to propoſe to him a Reference of the Matters in Difference between him and the *French*; that the Arbitrators ſhould be his Majeſty, the States General, or any other that he and the *French* could agree upon; that the Deciſion ſhould be pronounced in 15 Days after the Ratification ſhould come from *Spain*; they inſinuated unto him, that if the Judgment were left to the States, it ſhould be pronounced to the Satisfaction of *Spain*. M. *Balbaſes* having taken Time to conſider and ſpeak with his Col-

Collegues, anſwered the *Dutch* now at Noon, that he would not, as his Orders are, put to a Compromiſe any Thing that was now between them in Controverſy, for that his King would not endure that his Ambaſſadors here ſhould in any Thing do leſs, than what by the *French* Conditions ſhould come to be the Share of *Spain*; that the *French* being in Poſſeſſion of what they pretend to retain of the *Chaſtellanie* of *Aeth*, tho' the Sentence ſhould be in Favour of *Spain*, yet neither the States, nor any other Power, would arm, and take upon them to recover the Poſſeſſion by Force from the *French*. In fine, he ſaid, he had abſolutely refuſed to ſubmit the *Chaſtellanie* of *Aeth*, or *Beaumont*, to a Reference; the one and the other being clearly to come to *Spain*, even by the *French* Conditions.

Now that it is paſt Two, M. *d'Olivenkrantz* comes to me, and having underſtood, as he ſaid, how I had attempted to come and ſpeak with him and his Collegue, he told me, as he was pleaſed to phraſe it, *qu'il venoit recevoir mes Ordres:* I told him, that this being my Poſt-Day, I ſhould think my Diſpatch very imperfect, unleſs I were able to inform his Majeſty, what Anſwer he and his Collegue would pleaſe to give me upon the General Ceſſation of Arms; and it was that, and that alone, that made me preſs ſo much as I had, to come to the Speech either of him, or his Collegue, or both. All the Anſwer he gave me was, that M. *Oxenſtiern* and he had deſigned a Conference with the *French* Ambaſſadors this Morning upon this Subject, but that they were diſappointed, having ſpoke but with M. *d'Avaux* alone, the Mareſchal having been buſy all this Morning with his Son the Marquiſs, that arrived here laſt Night out of *France*; and M. *Colbert* having had about 3 Hours of his Time taken up by the Biſhop of *Gurck*, in a Viſit he made him this Morning; ſo that the Time ſlipt him for the Conference intended with the *Swediſh* Ambaſſadors; that he and his Collegue hoped to be able to give me an Anſwer to Morrow, and that it ſhould be ſuch, *qu'on venoit par la qu'ils ne s'eloignent pas de bonnes intentions de la Majeſté Britannique:* Theſe were his Words; and when I had repeated his Anſwer, and preſs'd him with the Reaſonableneſs of the Thing, and the Expectation his Majeſty would have of a categorical Anſwer in ſo important a Point; he expreſſed it in another Way, *que leur Reſponſe feroit voir qu'ils s'approchent autant qu'il leur eſt poſſible aux bonnes intentions de ſa Majeſté.* What their Anſwer will prove to be, I know not.

From this he fell to a Conjecture of the Occaſion of ſo long a Viſit of the Biſhop of *Gurck*'s; he thought the *French* had not done well to oppoſe the Alternative of *Friburgh* and *Philipsburgh* to the Emperor; they had done better, ſaid he, had they demanded in one Word the Reeſtabliſhment of the *Weſtphalian* Treaties: He will write to Morrow to the *Swediſh* Miniſter at *Paris*, to try if M. *Pompone* can be wrought upon to direct the *French* Ambaſſadors here to quit the Alternative, and to propoſe no more than the Reſtoration of the *Weſtphalian* Treaty.

I perceive by him, he takes it for granted, there will be an Expedient found between the *French* and the *Spaniards* about the *Chaſtellanie* of *Aeth*. I am, *&c.*

L. Jenkins.

Nimeguen, 2d Sept. 1678.

Right Honourable Sir,

Just now comes M. *de los Balbaſes*, and tells me, that he and his Collegue ſigned an Article laſt Night at 11 a Clock to the *French*, whereby

whereby they ſubmit and refer the *Chaſtellanie* of *Aeth*, the Dependencies of *Dinant*, and the *Meſſinois*, to the Arbitration of the States General. He did it becauſe M. *de Lyra* ſent him an Expreſs yeſterday, that *Holland* was reſolved to exchange the Ratifications with *France*, and would do it in all Probability on *Wedneſday* or *Thurſday*, if they the *Spaniards* ſhould delay coming to an Expedient. M. *de Lyra* ſent him an Act of the States, whereby they took upon them this Arbitration, and promiſe to decide it *au plû-tôt*, which he underſtands is to be before the Peace with *Spain* be ſigned, and before the Ratifications be exchanged with *France:* He ſuppoſeth the Deciſion of the States will be here in a Week at furtheſt; then the Peace of *Spain* will without fail be ſigned in a Day or two after. This being of ſo great Importance, I thought it my Duty to diſpatch towards you the firſt Moment that I came to know it authentickly. M. *d'Avaux* went to the *Hague* at 4 this Morning; what I have to add beſides, ſhall come by the Ordinary of this Day.

All I have to ſay yet of the Ceſſation is, that all the Parties have accepted the Thing; the *French* and *Swedes* have declared, they can conſent to no longer Term than 6 Weeks; the Allies have been deliberating of the Term in their ordinary Aſſembly this Afternoon. I am, *&c.*

L. Jenkins.

Nimeguen, 2d Sept. 1678.

Right Honourable Sir,

In my laſt, which was of the 29*th* paſt, (ſince which I have not the Favour of any from you to acknowledge) I gave you an Account of the Anſwer M. *d'Olivenkrantz* had given me touching the Ceſſation; next Day he and his Collegue gave me their Anſwer (or rather read it out of a Paper) to this Effect:

That they acknowledged, with all humble Thanks, the great Zeal his Majeſty hath for the General Peace, and his good Intentions in commanding a General Ceſſation to be propoſed in order to it. That the King their Maſter will contribute all that lies on his Part to do, to the End thoſe good Intentions of his Majeſty may come to a happy Iſſue. That they did call to Mind, how they had already (at the Motion of the *French* Ambaſſadors) given their Conſent to a Ceſſation of 6 Weeks Time, provided the Conditions of it were otherwiſe receivable; and that they are ſtill ready to enter into a Ceſſation of 6 Weeks. That they will make Uſe of the firſt Conveniency that ſhall offer itſelf, to write of this Propoſition to their King, and to ask the Powers and Orders neceſſary to agree a longer Ceſſation, and that in the *interim* they are ready to treat of the Conditions of this 6 Weeks.

This was the Sum of their Paper; they would have left it with me, but I excuſed myſelf, and only took Notes; for having learnt that the other Side was preparing a Paper too, I thought it not agreeable to the Rules we formerly ſet ourſelves, to take any ſuch Papers at all; for ſhould I do it, I ſhould not be able to refuſe to communicate it, and then the Parties would be engaged in that way of fencing.

One Thing they inſinuated to me, but it was as it were by the by, that this Ceſſation of 6 Weeks might be lengthened, if there ſhould be any Appearance of doing any Good by it towards a General Peace: I could not chooſe but obſerve to M. *d'Olivenkrantz*, that I had well hoped

they would have approached (as he had the Day before ſaid he would) nearer than this comes to, to his Majeſty's Propoſition.

I acquainted the *Dutch* Ambaſſadors immediately with this Anſwer of the *Swedes*, but they could not get the Allies to meet upon it till next Morning; and then their Reſolution was (when they had met and debated the Thing) to accept the Ceſſation (as they declared they did it) in the General, and to deſire me to draw up Articles that might be proper to fix the Term and the other Conditions.

THIS Reſolution and Meſſage the *Dutch* brought me from the Allies. I had the Articles ready (and the *Dutch* Ambaſſadors had ſeen them, and were pleaſed to approve of them) but I told them I could not give them in, I thought, at the Requeſt of one Side alone; but that I muſt firſt acquaint the *French* and *Swedes*, that the Allies were come unanimouſly to a Reſolution of accepting the Ceſſation, and had made it their Requeſt to me to draw up Articles for it.

WHEN I gave the *French* Ambaſſadors this Account, (as I did forthwith) they declared again their Acceptance of the Ceſſation, but could not concur in the Requeſt that had been made to me, to have Articles drawn up, till the Time was firſt fix'd; their Allies the *Swedes*, they ſaid, could not accept of a longer Time than 6 Weeks; they, the *French*, muſt inſiſt to have the Term fix'd, becauſe it is the Deſire of the *Swedes*, otherwiſe, for their Parts, they are at Liberty to give in to a much longer Term than 6 Weeks. As, on the one Side, they could not depart from their Allies; ſo, on the other, they would gladly avoid the Odium that would be raiſed againſt them, if they ſhould be thought to reſpite this Propoſition of 6 Months, which his Majeſty had judged fit to be recommended; and that I did then (and upon all other Occaſions do) inſiſt upon. Therefore they deſired the Term might be adjuſted in the firſt Place, for without that, the *Swedes*, they know, would not enter upon the Conſideration of any ſuch Conditions; and the Reaſons why the *Swedes* will admit of no longer Term is, leaſt it ſhould prove to their Prejudice; as it will, in caſe the Attempt upon *Rugen* ſhould ſucceed. They thought this Term of 6 Weeks would be the eaſier fix'd, in Regard that they, the *French*, had Intimations from ſome of the Allies themſelves, that they did not deſire ſo long a Term as 6 Months; in fine, they deſired I would, in my Report to his Majeſty, and in my negotiating this Buſineſs with the other Side, do them that Right, as to let his Majeſty know, and the Parties too, that it is the Concern of their Allies, and not any Orders they have from Court, that diſables them from giving in to a longer Time; the Allies being acquainted with this Difficulty, have had ſeveral Meetings about it, but have concluded nothing, referring themſelves to a further Debate they intend to have at 5 this Afternoon, in their ordinary Aſſembly: Only this I find, that the *Imperialiſts* are willing to accept of 6 Weeks, the *Danes* and *Brandenburgh* will ſtickle hard to have it longer, and as long as may be, to prevent a Winter War, which is then moſt active in thoſe Countries: But whatever the Term be that they ſhall come to agree upon, it will be near the middle of *October* before the Ceſſation can take Place; for Inſtance, the Ratification of the Ceſſation cannot be had out of *Schoonen* in ſo few as 20 Days to go and come, and ſo for *Vienna*; but theſe Ratifications muſt be exchanged, and the Exchange of them muſt be certified to *Schoonen* again, before the Ceſſation can take Place; ſo here will be little leſs than 40 Days, before we can come at the Benefit of it, tho' we we were agreed upon the Conditions of it at this Inſtant.

As

As I was in the middle of this Diſpatch, came to me M. *de los Balbaſes*, and gave me Occaſion to write you a very few Lines, that I ſent away by an Expreſs at the ſame Inſtant, the Duplicate whereof goes herewith: I might and ſhould have added, that beſides the Motives that M. *de los Balbaſes* had from M. *de Lyra*, to come to a Compromiſe with the *French*, he had had Advice from *Bruſſels*, that the *Dutch* had left the Town of *Mons* quite naked, having taken 13 Regiments out of it, which went ſtrait (the better Part of them, both Officers and Soldiers) into the *French* Service; this he made a great Aggravation of the *Dutch* abandoning them in all Manner of Ways.

Now at One, the *Dutch* Ambaſſadors came to communicate to me the Act which goes incloſed, (which is the Article that is mentioned in my Letter by the Expreſs) which was ſigned laſt Night between the *French* and the *Spaniards*; they told me, the Order of the States to them was, to preſs a Submiſſion from both Parties to his Majeſty, to the States General, or to both, or to any other they ſhould agree on; the Parties ſubmitted to the States alone, becauſe, ſay they, there would be much Time loſt in ſending into *England*; and as the *Spaniards* were reſolved to finiſh their Affair, (if poſſible) before the *Dutch* and *French* ſhould exchange their Ratifications, ſo the States have paſt a Reſolution they will not let ſlip their Day for the Exchange; this laſt M. *Beverning* ſaid, and repeated with ſome Emphaſis.

The Way agreed to repreſent at the *Hague* the Intereſts of each Party and their Arguments, is by Memorial to the States; their Ambaſſadors here have perſwaded the *Spaniards*, they will give in their Verdict before the Day for exchanging the Ratifications, but there is no Reſolution to that Effect; exchange they will, and not lapſe the 6 Weeks: M. *de Lyra* gives for the Reaſon, that *La Province de* Hollande *le veut qui tyranniſe les Autres*. Theſe Ambaſſadors hope they will likewiſe within the Time pronounce upon thoſe Queſtions, and think their Judgment will be in Favour of *Spain*. I am, *&c.*

L. Jenkins.

Nimeguen, 5th Sept. 1678.

Right Honourable Sir,

My laſt by the Ordinary was on *Monday* the 2*d*, only I took Leave to give you the Trouble of a few Lines, touching the Reference made by the *French* and *Spaniards* to the States General, by an Expreſs that I diſpatch'd away immediately, and went hence 5 or 6 Hours before that Ordinary; I have ſince the Favour of one from you of the 27*th* paſt, for which I moſt humbly thank you.

That which hath paſs'd here ſince my laſt, touching the General Ceſſation, is this: The Allies having underſtood, that the *Swedes* and the *French* would conſent to no longer a Term than 6 Weeks, and that they deſired to have that Point agreed in the firſt Place, and before we entered upon the reſt of the Conditions, reſolved in their Aſſembly on *Monday* late at Night,

1*ſt*, For the Term, they would accept of that which his Majeſty had propoſed, and indefinitely as he had ordered it to be propoſed; and the rather, in that they were perſwaded that his Majeſty foreſeeing that one third Part (at leaſt) of the 6 Months would be ſpent in getting the Ceſſation eſtabliſhed by the Conſent of all the Parties, the 4 remaining Months would be but little enough to Treat a Peace of ſo many Parts.

2. THAT they deſired I would let them know, from thoſe that pretended to conſent to no more but *6* Weeks Time, when they pretended thoſe *6* Weeks ſhould begin; for if they ſhould begin to run before the Principals do give their Conſents reſpectively to the Ceſſation, the greater Part, if not all, the Time will run out before the Treaters here can be ſure that the Ceſſation will have its Effect.

3. THAT for the adjuſting of the Term in the firſt Place, and before we ſhould meddle with the other Conditions, they were content; but thought it might be a furthering of the Work, if by common Conſent a Project were laid before all the Parties, which they might think of while the Term ſhould be treating.

I acquainted the *Swedes* with this early on *Tueſday*; they gave me no Anſwer at all, but that the Thing was of Importance, and that they muſt ſpeak with their Allies, before they could ſay any Thing to it. I would have engaged them in ſome Debate of the Thing, but they would not, ſo that I could do no more but repreſent to them, that it was then the *16th* Day ſince I had firſt propoſed the Ceſſation, and that this would be the *4th* Ordinary ſince, by which I was ſure his Majeſty would expect to be informed, that this Buſineſs was brought to a Head; therefore I deſired them to come to a Reſolution with a Speed proportionable to the Weight of the Thing, and to the Zeal wherewith his Majeſty deſires to promote the publick Peace.

I went from thence to the *French*, who reſerved themſelves to ſpeak with their Allies, but they were pleaſed to be ſo frank, as to enter proviſionally into a Debate of the Points the Allies had reſolved, which I could not get the *Swedes* to do in the leaſt: They ſaid, they would ſign the Ceſſation as ſoon as could be deſired; nay, they would add conſiderably to the *6* Weeks for their Parts, if the *Swedes* might be brought to it, and they offered a ſhorter Way to come at the Ceſſation than the Allies propoſe to themſelves; for inſtead of ſending to their King, for his Approbation of the Conditions, and the Exchange of that Approbation here, they would oblige themſelves, that their King, as ſoon as he ſhould be advertiſed from them, that the Ceſſation was agreed, ſhould ſend to his Generals to publiſh and obſerve it.

AT *6* laſt Night, the *Swedes* Ambaſſadors were pleaſed to bring me their Anſwer, but it was a very long Writing, which I excuſed myſelf from receiving, taking Notes out of it, and it was to this Effect. That there having been a Talk here of a Ceſſation in *May* laſt, they had taken that Occaſion to write to the King their Maſter, and to know his Pleaſure, if any ſuch Thing ſhould go on; and that he had given them Liberty to conſent to a Ceſſation for *Germany*; but that that King being then at the Head of his Army, had reſerved to himſelf to do as he ſhould ſee Cauſe for any Ceſſation that ſhould come to be propoſed for that Side next the Sea. That in Virtue of the Power they had then given them, they conſented to the Ceſſation that the *French* propoſed a Month ago, and do now conſent again to that which is propoſed by his Majeſty's Orders; that they are willing to make up the ſix Weeks two Months, reckoning from yeſterday, but they mean it for *Germany* only, but will write (as ſoon as the Way is open) to their King to have it general, and to extend everywhere. That they deſire the Allies to come to a Reſolution before the End of this Week, that they are ready to enter into it, and conclude forthwith, that aſſoon as the Ceſſation is agreed here, they will write to M. *de Coningſmark*, and he will execute and publiſh it without any Delay at all, much leſs Recourſe had to the King of *Sweden*; ſo that all that is to be done on their Part, will have

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its full Effect in 6 or 7 Days after it is agreed here, which is the Space requiſite to advertize M. *Coningſmark*. They pretend further, that having conſented to this Ceſſation a Month ago, they did upon that View, and in Conſideration of the State they found Things to be in at that Time, if there happen to arrive any Change in Affairs ſince, that then Things ſhall be reſtored to the State and Condition they were in, when they gave their Conſent the firſt Time.

I could not but obſerve to them, that this laſt Condition, as alſo the limiting the Ceſſation to *Germany* only, were ſuch as the Allies would never agree to, and gave them the beſt Reaſons I could; their Anſwer was, that for the extending it beyond the Sea, they could not do it, it was againſt their Orders; and for the reſtoring of Changes that ſhould happen, it was as advantageous for the Emperor in Reſpect of *Strasburgh*, as for them in Reſpect of *Rugen*.

It was ſo late when our Converſation ended, that I could have Sight of none of the Ambaſſadors to ſpeak with them laſt Night, ſaving M. *Heugh*, who rejected this Propoſition, or rather Anſwer, with the uſual Heat between thoſe two Parties.

The Biſhop of *Gurck* told me this Morning, that the not extending of the Ceſſation to the other Side of the Sea, would be ſure to break this whole Negotiation; the *Dutch* Ambaſſadors, when I ſpoke with them about it, were abſolutely of the ſame Opinion, and charged themſelves (the *French* and *Spaniards* being to meet this Day at 10 at their Houſe, to go over the Treaty as to the wording of it) to let the *French* know, they look upon the Affair of the Ceſſation as deſperate, unleſs the *Swedes* could be brought to make the Ceſſation beyond the *Baltick*, and to deſiſt from their Pretenſion of reſtoring Things that have been changed to the State they were in a Month ago.

M. *Blaſpiel*, coming from *Cleves* to Town at one, told me, theſe Propoſitions of the *Swedes* were not tolerable. I am now going to the *Dutch* Ambaſſadors, to concert upon what is to be ſaid this Evening at the Aſſembly; for the *Swedes*, from whom I am come ſince Noon, will admit of no Manner of Temperament, but they will write to their King, and commit their Letters to his Majeſty's Reſident in *Denmark*; who may, in a Day or two's Time, learn the Reſolution of the King of *Sweden* touching a General Ceſſation, which they believe their King will not be averſe from.

What the Allies will ſay to this at their Aſſembly, or what the *Dutch* will ſay to the propoſing of it, I cannot yet tell, ſo that I muſt diſmiſs this Ordinary with this imperfect Information, for the Hour of the Ordinary is at 4, but the Aſſembly Beginning at 5, does not uſually break up when there is Buſineſs till after 8.

On *Monday* M. *Colbert*, after that my Diſpatch was at the Poſthouſe, and M. *de los Balbaſes* and *Chriſtine* yeſterday, deſired to know of me, how I deſired my Collegues and my ſelf ſhould be mentioned in the Preface of the Treaty between *France* and *Spain*; I gave the one and the other the very ſame Anſwer, that neither my Collegues nor I had the Honour to intervene, or to do any Manner of Service in any Part of that Treaty; that Sir *W. Temple* and myſelf had anſwered ſo and ſo to the *Dutch* Ambaſſadors, when they were pleaſed to make the ſame civil Overture to us, upon the like Occaſion; that I had had no other Orders ſince, nor knew of any my Collegues had: That I moſt humbly deſired them I might not be mentioned in their Preface, either collectively, (as M. *Colbert* was pleaſed to phraſe it) without naming any of us, or elſe by Name in Conjunction with them, for that I had not had the

the Honour to appear in the leaſt, or to do them any Manner of Service; that I thought this would be the Anſwer of my Collegues; only I would be ſure to advertiſe them of this Civility, ſince I did not know of any Orders they had had at the *Hague*, directing we ſhould make any other Anſwer in this Caſe, than that Sir *W. Temple* and myſelf had made to the *Dutch*.

I will not take upon me to inform you of the great Condeſcention of the Moſt Chriſtian King, in yielding to the *Spaniards* all the Points in Controverſy without Reference or Expedient, the *Dutch* Ambaſſadors knew it at 8 on *Tueſday* Night, and immediately diſpatch'd their Courier to the *Hague* upon it, but did not impart it to me (nor M. *de los Balbaſes* neither) till yeſterday Afternoon; ſo that the News was at the *Hague*, before I had any more than Glimpſes of it from uncertain Notices.

The Treaty is now tranſlating into *Spaniſh*, and will be ſigned *Saturday* or *Sunday* next at furtheſt. I am, *&c.*

L. Jenkins.

Nimeguen, 8th Sept. 1678.

Right Honourable Sir,

LAST Night at 10, the *French* and the *Spaniards* ſigned the Peace at the *Dutch* Ambaſſadors, in a Room contrived for that Solemnity; two Hours before, the *Dutch* Ambaſſadors had told me, they were not agreed about the Incluſion of the Emperor; and that it was thought they would not be ready to ſign laſt Night, but it was otherwiſe, for I had one preſent that ſaw them ſign; they entred into the Rooms at the ſame Time, and took their Places, the one Embaſſy at the one Side, and the other Embaſſy at the other Side of a Table ſet in the midſt of a Room, and one of the *Dutch* Ambaſſadors at one End, and the other at the other End of the ſame Table; there paſt no Words before the ſigning, and but a few after it, of ordinary Matters only; the *French* went thither with ſix or ſeven Coaches with two Horſes a-piece at 9, with about 24 Flambeauxs; the *Spaniards* came a Foot, having but the Way to croſs from M. *de los Balbaſes* to the *Dutch* Ambaſſadors, the Spectators were moſt of them of the ſeveral Families of the Ambaſſadors: The Ratifications were not exchanged laſt Night, nor were they come to Hand from the *Hague* on *Friday* Night late, as M. *Beverning* himſelf told me, being not well pleaſed that the Thing was delay'd; for ſince it is to be done, ſaid he, it ſhould be done *de bonne grace*. He told me then likewiſe, that the *Spaniards* had inſiſted, and that very earneſtly, to have the Nuncio ſign; and that Duplicates of the Treaty ſhould be prepared for that Purpoſe; but the *French* would not conſent, nay refuſed it with ſome Warmth: Here is nothing done about the Ceſſation of Arms, the Allies having had a Meeting yeſterday, ſent me Word by the *Dutch* Ambaſſadors, they could not conſent to any other than a general Ceſſation; and therefore they would be content to give the *Swedes* three Weeks to write to their King, to know if he will conſent to make it general. When I ſpoke of this to the *Swediſh* Ambaſſadors, they ſaid they would write, if the *Danes* would give them ſuch Paſſports as they would like of, and I fear there will be ſome Difference about thoſe Paſſports. But the Buſineſs is, the *Swedes* do expect, before they come to any Thing effectual, to ſee what will become of the Iſle of *Rugen*; for they ſay plainly, they will make no Ceſſation if that be taken.

M. *d'Avaux*

M. *d'Avaux* ſet out about an Hour ago for the *Hague*. I have laid out with M. *Beverning* for a Copy of the Treaty, and he promiſed I ſhould have one as ſoon as they, the *Dutch*, had any; which will not be, he ſaid, till the Couriers are diſpatched away with the Originals. I am, *&c.*

L. Jenkins.

Nimeguen, 9th Sept. 1678.

Right Honourable SIR,

ON the 5*th* I troubled you by the Ordinary, and yeſterday by Expreſs, the Duplicate of that by Expreſs goes herewith incloſed. I have now the Favour of one from you of the 30*th* paſt to acknowledge.

YESTERDAY M. *de Gurck*, about 2 Hours after the Expreſs was gone, came to me, (upon a Suppoſal that I would ſend one upon the ſigning of the Peace between *France* and *Spain*) and having enlarged, 1*ſt*, Upon the great Diſappointment it is to the Emperor, to be abandon'd by thoſe Allies, for whoſe Sake he had engaged in the War. 2 *dly*, Upon the Danger the Empire is in upon the *Rhine*, and the *Moſelle* Side, now that *France*, upon the Peace with *Holland* and *Spain*, will be at full Leiſure to pour upon thoſe Parts all the Forces it now hath in the *Netherlands*. 3 *dly*, Upon the Obligations the Emperor is under to the Allies of the *North*, and the Religion wherewith he obſerves them; ſo that no Proſpect of Danger can bring him to make other Peace or Truce without them. 4. Upon the *Swedes* declining, as they do, to enter into a General Ceſſation; and upon the *Dane* and *Brandenburghers* refuſing to enter into a Ceſſation for *Germany* alone: I ſay, the Biſhop having enlarged upon theſe 4 Points, his Concluſion was, that the Operations of the Arms of *France* would be ſuch 'ere long in the Empire, as would in all Probability change the Face of Affairs there, and would render the General Ceſſation more difficult, and the General Peace more deſperate than now it is, eſpecially as to the Empire.

THIS he deſired I would humbly repreſent to his Majeſty, as alſo that it is in his Power alone to procure to the Empire either a Ceſſation or a Peace; but they the *Imperialiſts* do not deſire of his Majeſty to procure a particular Ceſſation for the *Imperial* Army on the *Rhine* and the *Moſelle* Side, for as they cannot enter into any Ceſſation without the Conſent of their Allies, ſo the *Brandenburgher* would never hearken to this, ſince it would but give Leiſure to the *French* Forces to conquer his County of *Cleves*, and that of *Juliers*; nor do they find the *Dane* and the *Brandenburgher* willing to enter into a Ceſſation for all *Germany*, and leave out *Denmark*, ſince the *Swedes* would thereby be at Liberty to do what they can on the other Side of the *Baltick*, and the *Dane* and *Brandenburgh* in the mean while have their Hands tied up, ſo as to be at Liberty to attempt nothing upon *Rugen* on this Side of that Sea.

NOTWITHSTANDING that they the *Imperialiſts* can neither ask from his Majeſty, nor have from the *French*, a Ceſſation in Form for the *Imperial* Army alone; yet the Biſhop thinks there lies a Temperament before his Majeſty, to ſave the Empire from any fatal Change before a General Ceſſation can be agreed. 'Tis thus; the Propoſition that his Majeſty hath ordered to be made, was of a General Ceſſation for 6 Months; the Allies accepted it as it was propoſed; the *Swedes* are not inſtructed for a Ceſſation on the other Side the *Baltick*; and for the Ceſſation in and for *Germany*, which they are impowered to conſent to, they

they will allow but 2 Months, inſtead of 6, for it; and they clog it with a Condition never heard of before in a Ceſſation, that Things be reſtored, if any Change hath happened, into the Condition they were in when the firſt Overture of this Ceſſation, not in his Majeſty's Name, but by the *French*, and from the Nuncio, 5 or 6 Weeks ago.

THIS hard Condition, and the Shortneſs of the Term, was a ſufficient Cauſe, ſays the Biſhop, for the Allies to break off all further Treaties with the *Swedes*, and the *French* who adhere to them; but they chooſe, rather than break off, to betake themſelves to one Expedient, which was, that the *Swedes* might be applied to by my Offices, to get them to write to their Court for Orders, if it ſhould ſo pleaſe their King, for a General Ceſſation, and for Directions touching the Reſtitutions pretended, in caſe there be any Change happened.

IT cannot be hoped, that a Courier can go and return in leſs than 3 Weeks Time; and ſince this Delay is occaſioned by the *Swedes* and the *French*, and that his Majeſty's Propoſition would have had its Effect 'ere this, had the *Swedes* and *French* concurr'd to it as readily as the Allies did; the Biſhop's moſt humble Suit to his Majeſty is, that he would be pleaſed to ſpeak effectually to M. *Barillon* on that Subject, and inſtruct his Ambaſſador at the *French* Court, that it is not his Majeſty's Meaning, that the Emperor having conſented to his Propoſition, in the ſame Term that the King had made it, and all the *Accrochments* proceeding (and affectedly too, as the Biſhop alledges) from the *Swedes*, and *French* by their adhering to them, that the Emperor, while this Courier that is to go to the King of *Sweden*, is going and returning, will be ſo preſſed on the *Rhine* and the *Moſelle* Side, and the Face of Affairs ſo changed by the pinning of the *French* Hopes in *Flanders* to thoſe upon the *Rhine*, as to render his Majeſty's Propoſition of no Effect, and conſequently the General Peace in a Manner impoſſible.

HE ſuppoſes that *France* finding Cauſe, as it does, to reſpect his Majeſty's Arms on this Side the Sea, and finding that the Ceſſation is delayed by its Ally the *Swede*, may be inclined, by his Majeſty's powerful Offices, to allow of a kind of an implicit Ceſſation, and be content not to puſh on its Advantages for the 3 Weeks, or Month next to come, while the *Accrochments* of the Ceſſation do lie (as he makes them do) at the Door of the *Swede*, and that nothing can be done on his Majeſty's Propoſition, till an Anſwer be had from the King of *Sweden*. He did confeſs there lay a very great Objection to all this, which was, that the Emperor and the Allies may have, if they pleaſe, a Ceſſation (for that the *Swedes* are content to come to) for all *Germany*; and that if the *Brandenburgher* and the *Dane* refuſe it, partly in Purſuance of particular Engagements between them two apart, and partly in View of ſome Advantages upon *Rugen*, it is ſcarce to be expected that *France* ſhould let go thoſe Advantages that preſent themſelves to it for the purſuing of its Point. For the Biſhop doubts a great Part of that inflexible Temper the *Swede* is in, proceeds from the Encouragement of the *French*; 'tis true, the *French* tell him, and others too, that they would give a longer Term than 2 Months; beſides, when they talk with him (the Biſhop) in particular, they ſay, there is little to be got in *Germany* beſides Blows; and that which lies faireſt for their Conveniency, as being neareſt *France*, are all Eſtates belonging to the Church, and ſo not capable of being annexed to the Crown. He is ſure, he ſays, that if the *French* did ſpeak to the *Swedes* in good earneſt, theſe laſt, as they conſented to the Evacuating of the Towns, ſo they would conſent, that the Ceſſation be general in *Schoonen*, *Norway*, and all Places, that the Term be competent till the

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End of the Year at leaſt, and would not ſpeak of having again, upon the Ceſſation, what they may have loſt within theſe 5 or 6 Weeks laſt paſt.

THIS is the Subſtance (as far as I am able to recollect myſelf) of a Conference of above two Hours that I had with the Biſhop; his Anxiety for the preſent State of Affairs in the Empire was viſible enough, and his Deſires to enter into a General Ceſſation is very expreſs; but this being impracticable without ſeparating from his Allies, the only Means left to ſave the Empire from ſome fatal Change was, (in his Judgment) his Majeſty's Mediation in this Conjuncture, which either by powerful Offices, or elſe by the Continuance of the Forces now come over, (this was what he more often uſed) would not fail to bring about a Thing ſo reaſonable as a kind of a tacit Ceſſation, leaving Things in the State they are now upon the *Rhine* and upon the *Moſelle*, till an Anſwer can be had from the King of *Sweden*.

LAST Night Meſſieurs *Heugh* and *Blaſpiel* gave me a Viſit together, they deſired I would humbly repreſent to his Majeſty, with what Forwardneſs they gave in to this Propoſition; that M. *Blaſpiel* had done ſo without Orders from the Elector, and even againſt that which appeared to be his Intereſt; yet upon the Deference he ſaw in all the Allies for his Majeſty's Judgment, he had judged it moſt ſuitable to the Deference and the Reſpect the Elector hath for his Majeſty, to concur, as he did, with the other Allies; that their Hopes are, that his Majeſty, out of his great Equity, when he ſhall be pleaſed to conſider the Chearfulneſs of their Side to comply with his Majeſty upon this Occaſion, and the Delays and Difficulties raiſed by the adverſe Party, he will think it juſt to favour their Maſters, and their Cauſe, as well by the Countenance of his Arms, as by the Offices of his Mediation: Thus theſe two Ambaſſadors. I am, *&c.*

L. Jenkins.

Nimeguen, 10th Sept. 1678.

Right Honourable SIR,

HEREWITH incloſed goes a Tranſcript of the new Treaty, ſigned on *Saturday* laſt between *France* and *Spain*, it was out of a Copy that M. *Beverning* ſent me; I have not had Time ſo much as to read it over.

ABOUT two Hours ago, the *Dutch* Ambaſſadors were at the M. *d'Eſtrades*, and having ſtayed there about half an Hour, returned Home in a moſt diſmal Rain. I could not chooſe but conclude they then exchanged their Ratifications. I ſent to the Secretary of the *Dutch* Embaſſy to ask him the Queſtion: He anſwered at firſt with ſome Embarraſs, and ſaid, he would go and tell the Ambaſſadors I had ſent to make that Enquiry, but after did not; only anſwered, *L'Affaire eſt faite, les Ratifications ont eſté Echangées.* This is all the Ground I have to give you this Trouble; and I haſten this News away, in Regard it may be all Day to Morrow before I can get any more Particulars; the Ratifications were not brought to Town till about 3 this Afternoon, but whether they came with any Clog upon them, or any Thing imperfect in them, will not be ſo ſoon diſcovered; only 'tis a Wonder that a Thing that was expected to be done with Solemnity and Bonefires, ſhould be done in the Night, and with ſo little Noiſe.

THE *Swediſh* Ambaſſadors are at laſt content with their Paſſports, but have deſired the *Dutch* Ambaſſadors, that the Miniſter of the States

General at *Copenhaguen*, might be directed to aſſiſt their Courier, and further his Paſſage into *Schoonen*, they expreſly declining the Offices of Sir *John Paul*, tho' M. *d'Olivenkrantz* named him ſome few Days ago (by way of Expedient) for this Purpoſe. I have preſſed them ſomewhat cloſely as upon their two Points, the one of making the Ceſſation but of 6 Weeks, or 2 Months; the other, of demanding to be reſtored, in caſe they ſhould loſe any Thing ſince the Ceſſation was firſt propoſed to them by the *French*; ſo, upon their refuſing to exhibit their Powers to Treat with the *Daniſh* Ambaſſadors; and in this I perceive I have not pleaſed them. M. *Beverning* told me this Day, that he believes the *Imperialiſts* will ſeparate from their Allies in the *North*, and make up a Peace by themſelves; you will find in my laſt Letters, a very long Account of a Conference I had with the Biſhop of *Gurck*; but M. *Beverning* hath been intruſted with a Confidence of another Nature, the *Imperialiſts* would accept of *Philipsburgh* as the Alternative, and they would afterwards redeem *Friburgh* from the *French*. They have to that Effect offered, by M. *Beverning* going between them and M. *Colbert*, ſome ſmall Things, but not near an Equivalent. In a Word, M. *Beverning* judges they would willingly give in to any Peace, and M. *de los Balbaſes*, who had deſigned to be gone hence immediately upon his ſigning the Peace of *Spain*, hath reſolved to ſtay here a Fortnight longer than he intended, in order to puſh on the Peace of the Emperor. I am, *&c.*

L. Jenkins.

Nimeguen, 12*th Sept.* 1678.

Right Honourable SIR,

HAVING given you a large Trouble by the laſt Ordinary of the 9*th* Inſtant, and another next Day by an Expreſs, which brings you the Certainty of the Ratifications between *France* and *Holland*, I have little to charge this Ordinary with, beſides the Acknowledgment of the Favour of yours of the 6*th*, and my very humble Thanks for it.

I hear no more of thoſe Ratifications, by way of Remark in any wiſe made upon them, nor did either of the Parties give me any formal Notice that the Thing was done; only the *French* Ambaſſadors being with me yeſterday, told me by the by, that they had diſcourſed to the *Dutch* Ambaſſadors the Matter they were come to me upon, as they and the *Dutch* were together the Night before, upon the Exchange of their Ratifications; the *Dutch* Ambaſſadors, when I was with them upon the Occaſion that the *French* were come to me, touched by the by only their being with the *French* Ambaſſadors over Night upon the Exchange of the Ratifications; But indeed their Secretary had told me, when I had ſent to him that Night, plain enough, that the Exchange had been made.

THE Buſineſs that the *French* came to me upon yeſterday was, to tell me they had brought their Allies the *Swedes*, to conſent to a Ceſſation that ſhall be General, and extend to *Schoonen*, and all Places whatſoever, and that it ſhould be of 2 Months, to be reckoned from the 1*ſt* Day of this Month of *Sept. O. S.*

THAT they pretend, that if any Change had happened either in *Rugen* or *Schoonen*, (for ſo they explain themſelves) ſince the laſt Day of *Auguſt*, *O. S.* all Things ſhould be reſtored into the State and Condition they were in at that Time, other Conditions to be as is uſual in all Ceſſations. That they, the *French*, having Power to conſent to a longer Term than 2 Months, would do it, if Occaſion were, and their Allies conſent. That this

this might be agreed and concluded here in a Day or two, and then the *Swediſh* Ambaſſadors might write to their Court for Orders upon the Peace, and for prolonging the Term, if need were; tho' M. *Colbert* ſeem'd to be of Opinion, that the Treaty muſt be reſtrained to a very ſhort Time, otherwiſe the Parties would but *s'endormir* upon a long one.

When I communicated this to the *Dutch* Ambaſſadors, as I do every Thing that comes to me touching the Ceſſation, humbly conceiving it to be his Majeſty's Meaning I ſhould do ſo, for they having entered upon it before me, and having Orders as well as I to do their beſt in promoting it, we are more likely to do good (if any be to be done) when we are in Concert, than otherwiſe: When I communicated, I ſay, to the *Dutch* Ambaſſadors, what the *French* had left with me, they made the ſame Objections I had made to the *French*, that the Term of 6 Weeks (for 'tis at this Time no more) was unreaſonably ſhort; and the Condition of reſtoring Things as they were the 1*ſt* of *Sept.* was new, and hard of Digeſtion. They obſerved further, that the *Swediſh* Ambaſſadors did, by this Overture, intend to get off from that Engagement they had given them, the *Dutch*, to write to their King in *Schoonen*; they, the *Swedes*, having made Uſe of the Offices of the *Dutch* Ambaſſadors, to procure them Paſſports from the *Danes* and the *Imperialiſts*, and having promiſed them they would write, if they might have thoſe Paſſports in a Form they could like of, which Form could not be adjuſted (after many goings between them) till *Monday* late at Night.

The *Dutch* Ambaſſadors upon this Occaſion asked me, if the *Swedes* had been with me, or ſent to me, to deſire an Addreſs to Sir *John Paul*, and that I ſhould write to him for his Aſſiſtance to the Courier that the *Swedes* intended to ſend to their King. I told them M. *d'Olivenkrantz* had, on *Saturday* laſt, mentioned it to me as an Expedient, that ſuch a Courier ſhould be addreſſed to Sir *John Paul*, and that he might be intreated to go along with the Courier to the King of *Sweden*'s Camp, and endeavour his free Paſſage to and from *Copenhaguen*; that I had thereupon let him know, my Letter to Sir *J. Paul*, and the beſt Direction I could give, ſhould be ready whenever his Courier was ſo; but that I had not ſince heard from M. *d'Olivenkrantz*, nor his Collegue, upon that Subject; nor had they ſpoken to me on *Sunday* Night, tho' I had been with them about the Paſſport, and about their Powers to Treat with the *Danes*. Hereupon the *Dutch* Ambaſſadors told me, how the *Swedes* had applied to them, for an Addreſs to the States Miniſter at *Copenhaguen*, and that they had refuſed them; M. *Haren* giving this Reaſon, that it was not fit to paſs by the Miniſter of the Mediator there, and to make Uſe of the Miniſter of one of the Parties, that is not yet got out of the War with *Sweden*.

M. *Beverning*, when he had told me how M. *d'Eſtrades* had been with them juſt before, and had complained to them, how that all the Inſtances he had uſed with the *Swedes*, could work nothing upon them, concluded with ſaying, — *pour reduire ces Meſſieurs du Nord a la raiſon il faut que ſa Majeſté Britannique & Meſſieurs les Eſtats prement des Meſſieurs enſemble pour leur preſcrire une paix raiſonable, & apres les obligez à paſſer par la.* — Citing for a Preſident, what his Majeſty and the States had done between *France* and *Spain* in the laſt War.

Just now at Noon comes M. *Stradtſman* to me, and begins his Converſation with telling me, how the Emperor his Maſter had accepted the General Ceſſation in the Manner it had pleaſed the King to propoſe it, and that he was willing to defer himſelf to the Project of Peace that his

Majeſty had in ſome of his late Treaties made for the Emperor and the Empire, and that he would have all his Reliance upon his Majeſty's Mediation.

THAT the Emperor placing ſo much Confidence in his Majeſty's Mediation, as to render himſelf wholly to thoſe Terms it hath pleaſed his Majeſty to determine, both in Relation to the Ceſſation of Arms, and to the Peace of the Empire, he did hope the King would give that Vigour to his Mediation, as may be ſome Support to the Emperor, and thoſe that are left behind in the War; and that he would ſo order Affairs, that their Adverſaries may be inclined to come into the Ceſſation and Peace that his Majeſty hath propoſed, and not ſuffer the Propoſitions he hath thought fit to make to fall to the Ground without Effect. That what he deſired might be repreſented to his Majeſty by me, was the Deference the Emperor hath for his Majeſty's Judgment in all Things; that the King having ſhow'd a conſtant Endeavour, and a great Zeal to make the Peace general, his Majeſty knew beſt what would make his Mediation efficacious; and the Emperor hopes he would uſe that ingredient, now that the adverſe Party would not be otherwiſe brought to hearken to a reaſonable Peace.

HE ſaid, that the M. *de Grana* had already ſpoken to this Effect to his Majeſty's Ambaſſadors at the *Hague*, and that they, the *Imperial* Ambaſſadors here, had thought this Seaſon proper to witneſs that Deference which the Emperor hath for his Majeſty's Judgment, and the Reliance he hath upon the powerful Offices of his Mediation.

FROM this he paſt to the large Theme of the Ceſſation, as it is now depending here, and ſo returned again to his Majeſty's vigorous Mediation, ſaying, it was his Majeſty's Force at Sea, and in *Flanders*, that made it *vigorous*; and it would be much more ſo, if ſome of his Majeſty's Troops were about *Bonn* and *Andernach*, to cover the *Rhine*; but this he advanced by Way of Diſcourſe only, and ſeparate from the Requeſt he had made to me. I am, *&c.*

L. Jenkins.

Nimeguen, 16th Sept. 1678.

Right Honourable SIR,

MY laſt was of the *12th* Inſtant; ſince which, I have the Favour of yours of the *10th*, with ſeveral Papers in it, that may be of Uſe for my Government here; for all which, I moſt humbly thank you.

WE advance nothing in the Ceſſation, and that proceeds from the different Views that the *Swedes*, the *Danes*, and *Brandenburgher*, have at this Time upon the Iſle of *Rugen*; the Allies, in their Aſſembly on *Thurſday*, would by no Means conſent to the Overture then made them from the *French* and *Swedes*: The *Dutch* Ambaſſadors brought me their Anſwer next Morning; which was,

1*ſt*, THAT they were ſtill of the Mind to make the *Armiſtice* general, as far as lay in them; and were therefore glad the *Swedes* were now willing to give into it.

2. THAT the Term of two Months, which was to commence from the 1*ſt* of *September*, *O. S.* was unreaſonably ſhort; however, that they were willing to treat upon that Point, in Hopes the Thing might be compriſed, for they did not ſtand upon 6 Months, nor 5, nor 4, all they deſired was a competent Time.

3. THAT

3. That the Ceſſation ſhould have a Retroſpect to the 1*ſt* of *September*, *O. S.* was a Thing they would conſent to by no Manner of Means.

The Allies likewiſe deſired to know of me, if the *Swedes* had diſpatch'd their Courier for *Schoonen*, and if not, that I would procure to the *Danes* and the *Imperialiſts* their Paſſports to be return'd them back again. By the Way, they took no Addreſs from me to Sir *John Paul*, nor from the *Dutch* Ambaſſadors to the States Miniſter at *Copenhaguen*, for the Courier that had been diſpatch'd the Day before; as for the Anſwer of the Allies, in the Matter of the Ceſſation, the *Dutch* Ambaſſadors thought, and ſo did I, that it was better to let it lie till ſome Accident or other ſhould work it off, rather than that I ſhould carry it to the *French* and *Swedes*, and ſo give an Occaſion to break off the whole Negotiation.

Upon Occaſion of the Inflexibleneſs imputed by moſt Men to the *Swedes*, M. *Beverning* had the ſame Notion up again, that I told you of in my laſt, which was, that his Majeſty and the States ſhould agree together to preſcribe a Peace in the *North*; the States do agree with his Majeſty, ſaid he, in Points of as high Importance as this is, witneſs their laſt Anſwer to his Majeſty by Mr. *Hyde*. In this Converſation he told me, the Neutrality of *Cleves* was treating under hand; and that M. *d'Avaux*, after Conference with the Penſioner upon it, had diſpatch'd a Courier into *France*, who was to return with an Anſwer as to Morrow.

The ſame Day, M. *Kinski* was with me, to deſire me that ſuch a Ceſſation might be propoſed at a Diſtance, without naming him or his Collegues, as might commence from that Day forward, it ſhould be agreed and ſubſcribed; and that it might be inſinuated, they, the *Imperialiſts*, would endeavour their utmoſt to bring their Allies, the *Dane* and the *Brandenburgher*, into it. M. *Stradtſman* the Day before propoſed it a little otherwiſe, that is, that among the Articles of the Ceſſation, there ſhould be one to let the *Dane* and the *Brandenburgher* in, if they ſhould offer themſelves within a Time limited; but this is certain, (as I told both of them) the *French* and *Swedes* would look upon this as a meer Amuſement; for we all know, that the *Dane* and *Brandenburgher* will not come in as long as the Buſineſs of *Rugen* is undecided; and if they ſhould once be limited, and not come in by the Time prefix'd, the *Imperialiſts* would by this Means ſlip into a Ceſſation for themſelves, and leave the *North* in the War, which would be contrary to what his Majeſty hath propoſed to himſelf; I mean a general Ceſſation, in Order to a General Peace.

The Nuncio, it ſeems, propoſed it, for I did not, to the *French*, and the *French* had a very long Conference yeſterday with the *Swedes*, to bring them to declare they would accept of a Ceſſation to take Place from the Day of the Subſcription; but the Mareſchal told me, they could do no good upon them. So did M. *Colbert* on *Saturday* tell me, they had been very earneſt with the *Swedes* a ſecond Time, to give in their Power to treat with *Denmark*, but they could not prevail.

As far as I can penetrate into the State of the Affairs of the *Imperialiſts*, the Matter of their Peace is near a Concluſion, but their Ceſſation not ſo near, for that they cannot bring their Allies into this laſt. M. *Stradtſman* told me now at 11, the main Difference is about *Friburgh*, they would redeem it with an Equivalent that the Empire ſhould conſent to and furniſh, but the *French* are exceſſive in their Demands; they would have the Juriſdiction that was before the War in com-

compromiſe between them, and the Empire over the ten Towns in *Alſatia*, now made over to them, or elſe all the Nobleſs of *Alſatia* detach'd from the Empire, and made to depend upon *France*, in lieu of *Friburgh*: This, ſays M. *Stradtſman*, is vaſtly diſproportionable; for the *Friburgh* was worth but little in itſelf to the Emperor, and will be much leſs than nothing to the *French*, when the Charges of the Garriſon are defray'd; beſides, 'tis a Place that cannot be made ſtrong, becauſe of its Scituation; and need not be ſo, becauſe that *Briſack* is ſufficient for thoſe Parts; this he hath deſired me to inſinuate to the *French*. M. *Beverning* hath been in this Confidence for ſome Days before me, but hath been able to do no good with the *French*. M. *Stradtſman* is of Opinion, that if his Majeſty would pleaſe to ſpeak to M. *Barillon*, that the *French* ſhould bring their Demands nearer to an Equivalent, it would be of a very good Effect for the Emperor; other Points of Grievances upon the *Weſtphalian* Treaties, the Emperor would be willing, he ſaid, to refer to another Time, and to compromiſe into the King's Hands. M. *Beverning* told me beſides, that the *Swediſh* Ambaſſadors being with him and his Collegue, about their Treaty with *Holland*, deſired their Offices in removing the Difficulties between them and the *Spaniards* about the Language of their Treaty, and that they had uſed ſome Endeavours, but all hitherto in Vain.

You will obſerve, I doubt not, from this, that all the Confidences of the *Swedes* run into that Channel; whether it be becauſe their Allies, the *French*, would have it ſo, and that we ſhould have nothing to do in any other Peace, becauſe we intervened not in theirs with *Holland* and *Spain*, or becauſe they would make their Court to the *Dutch*, having a Treaty now depending at the *Hague*, or elſe here, however not finiſhed; and having many Reaſons to keep fair with *Holland*, whether the Peace be now to be made, or the War to continue in the *North*.

One Thing I am ſurprized with, that is, M. *Alleſtree*, who paſſing by here in his Way for *England*, and waiting laſt Night upon M. *d'Olivenkrantz*, to pay him his Complements, the Ambaſſador entred preſently into Diſcourſe with him about our Trade in *Sweden*, (which M. *Alleſtree*, as far as I can judge, underſtands very well) and having debated over our Grievances, and their Advantages, he told him, the Voyage he had made into *England*, was principally to make a Treaty of Commerce there, but that he met with no Encouragement; that the only Thing he had hoped to gain in Lieu of the Advantages that the *Engliſh* ſhould have had in *Sweden* was, to have his Majeſty's Help and Aſſiſtance in the Treaties at *Nimeguen*, as far as would be conſiſtent with his Office of Mediator. I am, *&c.*

L. Jenkins.

Nimeguen, 19th Sept. 1678.

Right Honourable Sir,

Since my laſt, which was of the *16th* Current, I have the Favour of one from you of the *13th*; with ſeveral Copies of Anſwers to the Foreign Miniſters now at Court, in Relation to the preſent Affairs; as alſo of his Majeſty's Letter to the Elector of *Brandenburgh*; for all which I moſt humbly thank you.

On *Tueſday*, I paſt my Offices, firſt with the *French* Ambaſſadors, then with the *Imperialiſts*, touching the Preſſures that his Highneſs the Elector

Elector *Palatine*'s Eſtates ſuffer by both Armies at this Time. I moved them,

1*ſt*, That they would contribute what was poſſible on their Part to come to a General Ceſſation without further Delay. 2*dly*, That they would ſtipulate each for other, that the Armies ſhould, upon the Ceſſation, withdraw wholly out of the Elector's Country. 3*dly*, That in caſe we ſhould be ſo unhappy, as that the Ceſſation ſhould not forthwith take Place, they would in the *interim*, by Writing, and other Offices in their Power, procure what Eaſe was practicable to the Elector, eſpecially now the Vintage Time was ſo near.

As to the 1*ſt* Point, both Embaſſies valued themſelves ſufficiently upon their Readineſs to conſent to the Ceſſation, and laid the Blame at the Door of the other Side, appealing to me, *&c.*

As to the 2*d* Point, the *French* ſaid expreſly, that as ſoon as the Ceſſation was agreed, the *French* Forces ſhould void the Elector's Country, but they would not be brought to ſtipulate that the Emperor's Army ſhould do the like; that what they pretend to ſtipulate from the *Imperialiſts* is, that the *Imperial* Troops ſhall withdraw out of the Territories of *France* into *Alſatia*, &c. out of the Biſhoprick of *Strasburgh*, it belonging to an Ally; and ſhall not take Winter Quarters upon the Elector of *Bavaria*, or the Duke of *Hanover*; they will ſtipulate for theſe being Allies, but not for the Elector *Palatine*, leaving him to the Care of the Emperor.

I preſſed this 2*d* Point, as the main one, with the *Imperialiſts*, but they would not be brought to promiſe any Thing; only that I might be aſſured of the Emperor's Tenderneſs for ſo great a Prince and Member of the Empire, and of their particular Devotion to the Elector himſelf.

Upon the 3*d* Article, I had no more but good Words; only M. *Colbert* ſaid, it would be the beſt Way for the Elector to preſs on to a ſpeedy Peace.

As to his Majeſty's Pleaſure upon that great Point of the Guaranty, given me in Charge in your Letter of the 10*th* Current, I begun my Application with M. *Beverning*, (his Collegue being gone for *Friezland*) telling him, that the King having made his Reflexions upon the Uſefulneſs, and indeed Neceſſity, of a good effectual Guaranty, in order to preſerve *Flanders*; as alſo upon the Engagements he is already entered into with the States upon that very Point, by the 5*th* Article of our Treaty of *July* laſt; wherein there is a Door left open, or rather, an Invitation given to all Neighbour Princes to enter into the Guaranty; and his Majeſty having given me Orders to ſpeak with the Allies here upon it, I deſired to know of him, whether the States had yet come to reflect upon the Thing, and the Neceſſity of it, as his Majeſty had done; and conſequently, whether he had Orders to ſpeak with any of the Allies upon this Point.

He told me, the States had not yet thought on it, at leaſtwiſe had given him no Orders about it; nor did he think they would ſtir in it at this Time; for the Allies being yet in the War, the States can enter into no ſuch Meaſures with them. Beſides, the *French* would be extreamly offended at ſuch a *Demarche*, ſince they do already take great Exceptions at every little Thing that looks like a counterpointing of them. He thought the States would think the Anſwer they gave Mr. *Hyde* at his laſt parting, to be a ſufficient Delaration of their Mind, and that there need no more at this Time; but for the High Allies, they have ſeveral Treaties with all of them, which do not ceaſe to be in Force upon the going of the *Dutch* out of the War; and in all thoſe Trea-

Treaties, (thoſe with the Elector of *Brandenburgh* excepted) there is either a defenſive League for a Term of Years, or elſe a Guaranty ſtipulated between the States and the ſeveral Allies. He told me, he would look over all the Treaties, and give me ſome Extract, whereby it may be ſeen how the Caſe ſtands; the Extract you will have by this Ordinary: He concluded, that he thought thoſe Treaties to be *tant amount* to what can be further obtained of the Allies; eſpecially ſince they are engaged in ſuch a War.

THE next I waited upon was M. *de los Balbaſes*; and the Riſe I took for my Diſcourſe to him was, the 5 *th* Article of our Treaty with *Holland*, and the 31 *ſt* Article of the Treaty between *France* and *Spain*; my Enquiry with him was, whether he had made any Overtures to the *Imperial* Miniſters, and thoſe of the Allies, to invite them to enter with his Majeſty, and the States, into a Warranty of the *Spaniſh* Treaty: He told me, he had ſo little Satisfaction in the Part he had in that Treaty, that he had not yet thought of any ſuch Point. I told him, that that Day being his Poſt-day for *Spain*, I had thought it not unſeaſonable to mind him of it, to the End his Court might reſolve to direct what was proper to be done here, by way of ſolliciting the Allies to enter into Meaſures with his Majeſty for an effectual Guaranty of the *Spaniſh Netherlands*: He was pleaſed to thank me much for the *item*, and to promiſe he would write; but ſaid, that Treaty was ſo little to his Liking, that he had not ſent one Copy of it to any Governor or Miniſter that his King had Abroad, but to the Governor of *Flanders*, and M. *de Lyra* only; and that was the Reaſon, he ſaid, he had ſent me none, nor yet the *Imperialiſts*, his cloſeſt Allies. He ſaid again, he would write to *Spain*, for Orders to ſollicit this Guaranty; adding, that it was to his Majeſty alone they owe it, and to no other, that what is left of the *Netherlands* is ſaved to them by this Peace; and it is to his Majeſty's Protection alone, (he uſed that Word often) that they muſt ſtill owe it, if they do keep what yet remains.

HAVING thus ſounded M. *Beverning* and M. *de los Balbaſes*, I went next to the *Imperialiſts*, whether my Orders properly led me; they received with great Reſpect thoſe Evidences that his Majeſty is pleaſed to give more and more of his Care and Zeal for the Publick Repoſe, and for the making of it laſting; they were certain, they ſaid, it would be very welcome News to the Emperor, when he ſhould receive this Overture from his Majeſty; and they doubted not but the Emperor would comply as fully as could be deſired with his Majeſty, in entering into any Meaſures that ſhould be tending to the common Safety: This was the Anſwer they made, as to their being inſtructed of the Emperor's Mind in that Point; and for the Offer I made them, to enter into Negotiation with them, they ſaid, they would acquaint the Emperor, and expect his Orders. M. *Stradtſman* aſſures me now, as I am writing, that they writ about it on *Tueſday*, which was the Day I put it to them.

I have endeavoured to ſpeak with M. *Heugh* and M. *Blaſpiel* about this Guaranty; this laſt hath been out of Town theſe 4 or 5 Days, and is expected every Moment, but is not yet come; the other I have miſs'd, but hope to meet him before the Poſt goes.

M. *Stradtſman* is gone from me in great Anxiety for the Empire, in that 20,000 *French* are gone over the *Meuſe* at *Dinant*; he would fain have me preſs a particular Ceſſation between the Empire and *France*. I tell him, 'tis directly againſt my Orders, which are, to propoſe a General one, and that of 6 Months too; that for a particular one, or a ſhorter Term, I would have no Hand in propoſing either; tho' it is likely to

me,

me, that they will agree both the one and the other among themſelves, unleſs the *French* will ſtand off.

I perceive they think the *French* will accept of an Equivalent for *Friburgh*, M. *Beverning* having told them, that M. *Colbert*'s Anſwer was, (when he, M. *Beverning*, propoſed to him *Colmar* and *Schlechſtat* for Exchange) that he would write of it to the Court, if he propoſed it from the States, or but from himſelf; yet M. *Colbert* told me, they have no Orders to accept of any Equivalent, but that they muſt ſtand upon their Alternative of *April* laſt, only that if an Equivalent that were reaſonable were offered them, (as they do not reckon thoſe two Towns to be ſo) they would not refuſe to write to their King.

I paſſed yeſterday an Office for the Prince of *Salme* with M. *Cannon*, the Matter is, the Houſe of *Lorain* and that Prince have the County of *Salme* divided between them, only the Prince's half is erected into a Principality; the laſt Duke of *Lorain* did, by Reaſon of Quartering and other Encroachments, keep no very good Neighbourhood with the Prince; the Prince would have this Duke give him ſome kind of Caution and Declaration in the General Treaty againſt thoſe Grievances for the future. M. *Cannon* ſays, the preſent Duke will give him no Grievances, and thoſe his Uncle gave the Prince, is no ſufficient Ground to demand Caution from him; and if he do wrong the Prince, his Recourſe ought to be to the ordinary Juſtice of the Empire. M. *Cannon* profeſſeth much Service for the Prince of *Salme*, and ſays, 'tis for the Prince's Service to ſtay till the Duke be reſtored; if he begins thus uneaſily with him, he will have much the worſe of their Tenancy in common. I am, *&c.*

L. Jenkins.

Nimeguen, 23 d Sept. 1678.

Right Honourable SIR,

I Have ſince my laſt, which was of the *19th* Current, the Favour of one from you of the *17th* to acknowledge, and humbly thank you for it.

I gave you an Account in my laſt, of what the *Dutch*, *French*, *Spaniard*, and the *Imperialiſts*, had anſwered me about the Guaranty. I ſpoke to M. *Heugh* of it on *Thurſday* laſt; his Anſwer was, that the King his Maſter will have but very diſtant Thoughts of this Guaranty at this Time, ſince he hath no nearer Proſpect to get out of the War; that he and others that were left by their Allies, have no Reaſon to deſire to ſee thoſe Peaces warranted that have been made ſeparately, and in Defiance of ſo many Engagements; he thought the Peace of *Spain* may yet chance to miſs of ratifying; however, he promiſed to write with the firſt, of the Overture, and Offer I made to enter into Negotiation with him upon this Subject.

I could not ſpeak with M. *Blaſpiel* (who hath been out of Town) till late laſt Night. His Anſwer was, that the Elector his Maſter had of a long Time had his Thoughts upon the ſecuring of the Peace (when it ſhould pleaſe GOD to ſend it) by a good firm Guaranty; and that he and his Collegue, upon their firſt coming hither, were in Part inſtructed how to enter into it; but that Things being ſince much changed, and the Elector being at this Time engaged in the War, all that he, the Ambaſſador, could for the preſent do, was to write to his Highneſs, and to know his Pleaſure upon the Overture I had made, of my being in a Rea-

dineſs to enter into Negotiation with him upon that Point. I moved him upon the General Ceſſation too; his Anſwer was, that they, the *Northern* Allies, would have little Difficulty, he thought, to enter into it on their Parts, but that he deſpaired of ſeeing the *Swedes* brought into it, the *Swediſh* Miniſter at the *French* Court having beſeeched that King not to conſent to it, as being a Thing that would be the abſolute Ruin of *Sweden* at this Time. He ſpoke much of the Moderation in general that the Elector would be brought to; he does not flatter himſelf, he ſays, with the Hopes of retaining all he hath conquered, yet he hopes no body can think reaſonable, that the *Swedes*, who have without any Ground begun a War upon the Elector, ſhould be reſtored again to all, and not leave ſome of their Fleece behind them. He had Letters from the Elector himſelf, being landed with all his Foot, and half his Horſe, in the Iſle of *Rugen*, with the Loſs of two Men only, the *Swedes* retreating before him; when the Letters came away, the *Danes* were landed too, with the Loſs of about 60 Men.

This Deſcent ſucceeding, (tho' we have yet no more of it but their very landing on the 13*th*) makes every body conclude the *Swedes* will come to no Ceſſation; and that the *Imperialiſts* will (if they can poſſible) come to a particular one with the *French*, the Motion of M. *de Luxemburgh*'s Army threatning the Empire very much, if a Ceſſation did not put a Stop to him.

M. *Beverning* told me on *Saturday*, that the *French* Ambaſſadors have affirmed to him very ſeriouſly, that their Orders are, to bring all Facility on their Parts towards a General Ceſſation, and conſequently a General Peace, but they muſt not ſeparate from their Allies the *Swedes*. On the other Side, there is a *Swediſh* Miniſter at the *Hague*, (I ſuppoſe he means M. *Silvercroon*) that ſays, the *Swedes* would hearken to Reaſon, and make their Way to get out of the War, but the *French* do underhand bear them up in their preſent Stiffneſs.

M. *Ducker* was with me yeſterday in the Evening, to tell me, that the particular Ceſſation between *France* and the Empire, (excluding the *Northern* Allies) was upon the Point agreed on; that the *French* inſiſted highly to have Prince *William* of *Furſtemburgh* ſet at Liberty, or elſe ſequeſtred; that the *Imperialiſts* muſt come to it, if they have a Mind to the Ceſſation, for the *French* will ſtand upon it finally: His Requeſt to me was, that ſince this Ceſſation (which, he ſaid, would not be above two Months) would bring on the Affairs of the Princes of the Empire to be Treated, his Admiſſion (as a Miniſter qualified) might be preſſed at this Time, as a Preliminary neceſſary to be ſettled. He deſired his Majeſty might be informed of this, that he may pleaſe, if he think fit, to challenge Prince *William* from the Emperor, to be ſequeſtred into his Hands: But ſure if there be any Sequeſtration agreed, it will be into the Hands of the Pope, ſince their Ceſſation is promoted by the Nuncio, and is limitted to thoſe only he mediates between.

Tho' M. *Ducker* was exceeding confident this Ceſſation for the Empire was as good as agreed, and that the *Swedes* would acquieſce in it, yet I was advertiſed late laſt Night from a good Hand, that the Negotiation about a ſeparate Ceſſation was broke off, and that the Nuncio had reſolved to meddle in it no more. However, it is to me not improbable, that the *Imperialiſts*, as the Caſe ſtands with them, will give in to any Ceſſation; and if ſo, I cannot but reckon the Peace, that is afterwards to be Treated between the Emperor and *France*, to be a ſeparate Peace, and ſuch a one as his Majeſty would not intervene in, as long as the *Northern* Allies do ſtand off, and refuſe to Treat, and cry out againſt the

the *Imperialiſts* for not keeping to their Obligations, which are (they ſay) ſtricter againſt a ſeparate Ceſſation than a ſeparate Peace. Beſides, it is viſible, that the Nuncio, M. *de los Balbaſes*, and M. *Beverning*, have hitherto had all the Confidences of the *Imperialiſts*, both as to the Ceſſation, and as to the Alternatives upon which the Peace is to be made, tho' I have taken ſeveral Occaſions to let them know his Majeſty's preciſe Orders to us here (of the 13*th* of *Auguſt* laſt) by all Means to embrace the Opportunities offered us, of taking Care of the Intereſts of the Emperor; *and to embrace with all Readineſs whatever Offers his Ambaſſadors have made, or ſhall make to us, to that Purpoſe.*

BEING gone thus far in my Diſpatch, I have three Viſits one upon another; the firſt is from M. *Balbaſes*, who came to return me Thanks for my Overture about the Guaranty, and to ask me in what Form his Majeſty intended it ſhould be drawn up, as alſo to deſire that Care might be had, that the Treaty of Guaranty which his Majeſty ſhall enter into with the States General, do derogate in nothing from that defenſive Alliance which is now in Force between the Crown of *Spain* and the States, and that they ſhould be bound to ſtipulate their *Quota* for the Defence of *Flanders*, in the Manner and Form agreed on in that Treaty, which was made in the Beginning of this Year, notwithſtanding any new Stipulation and Agreements between his Majeſty and them for the ſame Ends, which new ones are likewiſe to have their Place and Effects: Another Thing he deſired was, that when his Majeſty and the States ſhould enter into the Guaranty, there might be a Door left open for the Emperor to come in, and that he might be invited by Name in their Treaty to enter into it.

As to the Queſtion, my Anſwer was, that for the Forms of Guaranty, there was choice enough in the World; that I did not yet know, which of them his Majeſty would have propounded; that I never heard of any Exception taken to the Form wherewith the Treaty of *Aix* was warranted; but that I thought his Majeſty would, in the Matter of Form, have a ſpecial Regard to any one that ſhould be propounded in the Behalf of the Catholick King, who hath far the greateſt Intereſt in the Validity of it.

M. *Stradtſman* gave me a minute Account of what the *French* demanded of the Nuncio, relating to the Ceſſation: They would know firſt, what Princes would enter it? 2. They would have the *Swedes* taken in. 3. They would have the Places for the Retreat of the Armies ſpecified. 4. They would have Prince *William* ſet at Liberty, or at leaſt ſequeſtred. 5. They would have particular Meaſures taken about the Iſle of *Rugen*.

THAT they, the *Imperialiſts*, had anſwered the ſame Day, (*Saturday*) that it was their meaning, that all their Allies ſhould enter into the Ceſſation; and that they intended not to exclude the *Swedes*; that they would endeavour to come to a Temperament about the Retreat of the Armies; as to the Iſle of *Rugen*, the Liberty of Prince *William*, and the Admiſſion of the Biſhop of *Strasburgh*'s Miniſter, they did not belong in any wiſe to the Treaty of a Ceſſation, but to the Treaty of Peace: Upon this the *Imperialiſts* expected a Reply from the Nuncio, but had had none; I having put ſince yeſterday was ſevennight a Project of ſeveral Articles for a general Truce and Ceſſation into the Hands of the ſeveral Parties here, as well of the one Side as of the other; the *French* Ambaſſadors were pleaſed to bring me their Anſwer upon it this Afternoon, and to tell me, they agree to all the Articles I had offered them, thoſe only excepted, which I had calculated for a Truce of ſix Months, ſince they intended it only for

two. I have not Time to read over their Anſwer, much leſs to ſend you a Copy of it by this Ordinary, they deſire I ſhould keep it in my Hands, till I have the Anſwer of the Allies of the other Side, with whom I had likewiſe lodged my Project, and to that Effect I am now going to ſollicit them.

THE *French* Ambaſſadors made it to me as a great Argument of the King their Maſter's Sincerity and Deſire of a general Peace, in that he brings all the Eaſe poſſible to a Ceſſation, at a Time he might promiſe to himſelf great Advantages by his Superiority over the Emperor. I am, *&c.*

L. Jenkins.

Nimeguen, 26th Sept. 1678.

Right Honourable SIR,

I Have not any from you to acknowledge ſince my laſt, which was of the 23*d* Current, nor have we made any Progreſs ſince (not openly at leaſt) towards the Ceſſation.

I take leave to encloſe herewith, the Anſwer I mention'd in my laſt, that the *French* put on *Thurſday* into my Hands: When I acquainted the *Imperialiſts* I was poſſeſs'd of it, all they ſaid was, they would adviſe with their Allies; M. *Stradtſman* was with me very late laſt Night, to tell me, they had done it, and to ſhew me the rough Draught of the Anſwer they intended, on their Part, to lodge with me ſome Time this Day. I cannot perceive by their Draught, there will be any conſiderable Difference between them, as far as thoſe Anſwers are applicable to the general Project I gave in between them.

1*ſt*, FOR the Term, the *Imperialiſts* will demand that the Ceſſation hold till *New-Years Tide, N. S.* the *French* will give two Months, ſo there is but three Weeks in Difference between them. 2. The Quartering of Armies, as 'tis propoſed in their ſeveral Anſwers, hath a conſiderable Difference in it, but ſuch as I think may be reconciled, if both Parties be in earneſt. 3*dly*, That which concerns the Dukes of *Bavaria* and *Hanover*, and the Prince of *Furſtemburgh*, as you'll find them to be Matters that, ſtrictly ſpeaking, are foreign to a Ceſſation, and belong properly to the Treaty of Peace; ſo they will be of very hard Digeſtion to the *Imperialiſts*, for neither *Bavaria* nor *Hanover* were ever quarter'd upon ſince the War, nor is it now intended, nor almoſt poſſible to be; and for the Prince of *Furſtemburgh*, all will be done for him, ſays M. *Stradtſman*, that he can promiſe to himſelf, or deſire in the Treaty of Peace, when it comes to be finiſhed, provided it be asked in a decent Manner, either at the Interceſſion of the King our Maſter, or upon his own Submiſſion, nay, if it muſt be ſo, upon the Requiſition even of the Moſt Chriſtian King.

BUT the *Imperialiſts* muſt, I ſuppoſe, yield all thoſe Points, or elſe muſt reſolve to be without a Ceſſation; for the *French* pretending to have aſſerted in the Treaty of *Munſter*, that Right which the Princes of the Empire have to make foreign Alliances, they will not let go that Hold in this Caſe of the Biſhop of *Strasburgh*, but will carry him through as their Ally: They have contended for him all along; and when Things are much nearer a Ballance than now they are, M. *Ducker* will not be wanting to ſollicit them.

M. *Blaſpiel*, when I acquainted him with my being in Poſſeſſion of the *French* Anſwer to my Project, and that his was expected; he told me,

I ſhould

I ſhould have his Anſwer in a Day or two; but M. *Heugh* ſaw nothing, he ſaid, to be anſwer'd in the Caſe, in Regard that neither the length of the Ceſſation, nor the Time it ſhould begin upon, nor yet the Places it was to reach to, (which are the moſt eſſential Points) were agreed between the Parties; 'tis a Peace they deſired, he ſaid, and not a Ceſſation.

The *French* Ambaſſadors told me on *Monday*, they had ſpent all that Morning in perſwading their Allies, the *Swedes*, to give into the Ceſſation, and to put in an Anſwer to the Project for it; that with much ado, they had brought them to promiſe they would do it; but M. *Colbert* told me the next Day, they were reſolved to expect an Anſwer by the Courier, they ſent this Day ſevennight towards the King their Maſter, and would not put in any Anſwer.

It is now above a Month (for it was the 15*th* of *Auguſt*) that I firſt propoſed this Ceſſation, and I have ſollicited it ever ſince with all the Earneſtneſs I could; the Nuncio had propoſed it three Weeks before, yet it is no nearer a Concluſion, than that the Anſwer of the *French* is ready, and that of the *Imperialiſts* will be ſo this Day or to Morrow at furtheſt. I do not expect any Anſwer in Writing from the *Northern* Parties, the *Imperialiſts* will give in an Article for them to come in, and to be comprehended in the Ceſſation, if they offer themſelves within a ſet Time; it would be hard to refuſe ſuch an Article, but it is not unlike to ſtick with ſome of them.

If they, the *Northern* Parties, ſhould enter into the Ceſſation, it is ſo ſhort a one, that it is not likely they would make up the Peace of the *North* in it; ſo diſtant hitherto are the Parties: for the *Swedes* pretend to be reſtored to all; and ſo unprepar'd is the Matter, that there is not ſo much as a Project thought on between them; and if a Project were drawn up, it is ſcarce to be thought they would agree it, without ſending again and again to their Courts; this I ſay, in Caſe they be left to themſelves, and they are like to be ſo, for ought I know, for *France* will hardly ſuffer the Law to be given to its Ally, and theſe States are not like to meddle in it any further than *France* will think fit to allow them.

For the Peace of the Empire, it doth not ſeem to be ſo far off, if *France* be in earneſt; and yet M. *de los Balbaſes* told me on *Tueſday*, that the Emperor will never ſubmit to the alternative, becauſe of the Manner it is preſcribed in, and that is the Reaſon they are labouring underhand to get *France* to accept of ſome Equivalent inſtead of *Friburgh*; for that being done, the Treaty would have the Appearance of a Thing negotiated, and not impoſed. For the Management of this, they had once made uſe of M. *Beverning*, but he tells me now, they have not made uſe of, or come at him of a good while, having made uſe of M. *de los Balbaſes*.

Another Thing he told me, ſpeaking of a *Broüillerie* that the Allies have among themſelves, ſo that they no longer meet at their uſual Aſſemblies twice a Week, the Occaſion was this: The *Imperialiſts* brought two Deputies that are come to Town from the Duke of *Newburgh*, into one of their ordinary Meetings, without having firſt beſpoken their Admiſſions, and produced their Powers.

M. *Beverning*, *Heugh*, and *Blaſpiel*, broke up and went their Way, at the Sight of thoſe ſtrange Faces; and M. *Heugh* hath ſhewed me a long Apology in Writing for their ſo doing, with M. *Beverning*'s Obſervation upon this Incident; but the *Imperialiſts* take Advantage of it, and come at the Meeting of the Allies no more, thereby finding themſelves diſpenſed with from communicating with their Allies what they

are

are doing in the Matter of the Ceſſation and the Peace, and ſo to have the more Colour to go on by themſelves, and ſeparately from their Allies, in the Steps they are now making. But I muſt do them that Right, as to obſerve here, that M. *Stradtſman* told me laſt Night, they had been with the ſeveral Allies, to ſhew them the Anſwer they had prepared upon my Project, tho' they did not ſay they had their Concurrence in it.

The Miniſter of *Liege* deſired my Offices towards the *French*, *Spaniſh* and *Dutch* Ambaſſadors, for removing of the *French* and Confederate Armies, that lie both Sides of the *Meuſe*, ravaging that Country, and bringing all to Deſolation. You will eaſily imagine, there is no Relief to be had here in ſuch Caſes; the *French* anſwered, 'tis the Fortune of neutral Countries; the *Spaniards* ſaid, that they would withdraw, if the *French* did; the *Dutch*, that their Troops would within a Day or two be drawn away to Garriſon *Maeſtricht*.

I take leave, at the earneſt Requeſt of the Prince of *Ligne*'s Miniſter, to incloſe here the Article which the *Spaniards* had inſerted into their Project, in Favour of that Prince; his Hopes are, that when his Majeſty hath the Article laid before him, he will be pleaſed to ſpeak with the *French* Ambaſſador on that Side, ſince the Prince is without remedy otherwiſe, the whole Article being left out of the Treaty, and the *Spaniards* having yielded the Point, becauſe the *French* would have brought in on their Part an Article touching vaſt Sums in Arrear, pretended by the Prince of *Conde*.

The *Hamburgh* Miniſter ſent laſt Night to know of me, if he might come and viſit me in the Body of a Deputation that will be here ſuddenly from the *Hanſe* Towns; my Anſwer was, that if he were named by Name in the Inſtrument of Deputation; and that he and the reſt viſited me before any other Ambaſſadors, I ſhould not Difference him from the reſt. I am, *&c.*

L. Jenkins.

Nimeguen, 30th Sept. 1678.

Right Honourable Sir,

My laſt was of the *26th* Current; ſince which, I have the Favour of one from you of the *24th* to acknowledge, and do humbly thank you for it.

You are pleaſed to let me know his Majeſty's Pleaſure, that I ſhould leave the *Hamburgh* Miniſter and his Buſineſs where it is. I have, as you'll find by my laſt, accepted an Offer he cauſed to be made me; I do hope it is not againſt his Majeſty's meaning, for I reckon that the Deputation of *Hanſe* Towns will be in our common Inſtrument; and if the *Hamburgh* Miniſter be named in it, his former Deputation from his own City, I take to be void, as M. *Termulen*'s is; and upon that Account, I ſhall make no Difficulty to receive him, if he gives the firſt Viſit to his Majeſty's Miniſter, coming from a new Miniſter (the Biſhop of *Paderburne*); but I beſeech you, Sir, if I be out in this Notion, to rectify me with the ſooneſt poſſible, for I am in Hopes, your Orders may yet come to Hand afore theſe Miniſters come to Town.

M. *Beverning* told me on *Friday*, and laſt Night too, that there is nothing of late done between him and the *Swedes*, in Order to conclude that Peace; that there were ſome Differences between them in the Point of Commerce, and thoſe of *Amſterdam* have ſtarted ſince new ones; that there are ſome Things to be excepted againſt in their very Pro-

Project for the Peace. But the Peace goes on no further, out of a Regard for the Intereſts of the Elector of *Brandenburgh*; for the States would bring on his Peace, and finiſh it at one and the ſame Time with their own. Theſe Delays the *Swediſh* Ambaſſadors do therefore reflect upon, and complain of, as proceeding from a Deſign of favouring the Elector; and they give that for a Reaſon why they cannot conclude their Peace with *Holland*, for that it would be hard to pay for that Peace to the Elector and the *Hollander* too.

M. *Beverning*, to take off this Cauſe of Offence from the *Swedes*, would have his Maſters ſend him a Power to Treat, and bring Things to an Iſſue with the *Swedes*; and when that were done, he would not conclude and ſign till they ſaw what would be done for the Elector, who hath, as M. *Beverning* ſays, given the States a great Power to diſpoſe of his Intereſts.

As to the Ceſſation, it would be endleſs to tell you, what going to and fro we have here, and yet nothing is agreed on. I ſent you by my laſt the Anſwer of the *French* upon my Project. I ſend you by this Ordinary, the Anſwer the *Imperialiſts* gave me on *Thurſday* laſt upon the ſame, as alſo the ſeveral Anſwers that M. *Heugh* gave me on *Friday*, and M. *Blaſpiel* on *Saturday*, upon the ſame Subject.

You will find the Anſwer of the *Imperialiſts*, as well as of the *French*, to be digeſted into Articles; and tho' the *Imperialiſts* have 5 Articles in their Anſwer of that Nature, that the *French* have nothing like them in theirs; and the *French*, on their Side, have 4 in their Anſwer, that have nothing like them in that of the *Imperialiſts*; yet in each of theſe there may be Temperaments found; and I cannot think the Ceſſation will break on either Side upon the Account of theſe, if other Points can be adjuſted.

The Anſwers of Meſſieurs *Heugh* and *Blaſpiel*, you'll find of another ſort; the firſt demands, that the Ceſſation be for 6 Months; the other offers it with *France* alone; but when I produced thoſe Anſwers (which are not ſo particular in other Points) yeſterday to the *French*, they rejected both of them with a great deal of Indignation: M. *Colbert* ſaying, they would never hearken to any Thing further, when more than 6 Weeks ſhould be ſpoke of; and that it was in vain to expect, that ever they ſhould ſo much as think of a ſeparate Suſpenſion, and leave the *Swede*, as he is engaged with the Elector of *Brandenburgh*.

Beſides theſe Anſwers that are thus lodged with me, I have now in my Hands, an Anſwer from the *Swediſh* Ambaſſadors in Writing; the *French* Ambaſſadors brought it on *Saturday* from the *Swedes*, who had told me at one Time, that they could ſay nothing as to the Ceſſation, till the Couriers they have lately diſpatch'd to their King were returned; and at another Time, that they referred themſelves to what their Allies the *French* ſhould Treat and conclude for them. However, we have now Propoſitions from them in Writing, which go along in two Papers as I received them.

The *French* Ambaſſadors valued themſelves very much to me when they gave them in, upon their having brought the *Swedes* to be content with *Stralſund* and *Gripſwald*, and whatever elſe is in their actual Poſſeſſion in *Germany* at this Time, without pretending to have *Rugen* reſtored, or that the Ceſſation ſhould have a Retroſpect, which they inſiſted formerly upon.

The *French* gave me the *Swedes* Propoſitions, with a Deſire I would employ my Offices principally with the *Imperialiſts*, to let them know, that a Ceſſation was to be had, and the *French* and the *Swedes* would give

give into it, either to a General one for all Parts, or a particular one for *Germany* itſelf; provided that that which remains to the *Swedes* in *Pomerania* be ſaved to them, for 'tis in great Danger by a Ceſſation; that all other Points ſhould be accommodated, provided this one were agreed to; that without this, no thought of a Ceſſation; and to this Effect I was to paſs my Offices with the *Dane* and the *Brandenburgher* likewiſe.

When I ſpoke with the *Imperialiſts*, they complained heavily of the *French*, 1*ſt*, For that they did ask them to do a Thing that was not in their Power, to perſwade their Allies where they were not to be perſwaded. And, 2*dly*, For that this was a going off from that which they had agreed to, at leaſt it was ſo reported to them by the Nuncio; whereas I have taken Leave to obſerve to you already, where the principal, I think I may ſay, the only Confidence of both Sides lies at this Time.

That Agreement, it ſeems, was, there ſhould be a Ceſſation forthwith concluded between the Emperor and *France*, and that there ſhould be a Door left open for the Parties in the *North* to enter afterwards into it, if they ſhould ſo deſire; and that it was upon this View, and upon this Confidence, that the *Imperialiſts* had dreſſed the 8*th* Article of their Anſwer upon the Project for the Ceſſation, which you ſee hath been calculated for that End.

When I ſpoke with the *Daniſh* Ambaſſador, he did not ſpeak much againſt the Article of the *Swedes* holding what they have in *Pomerania*, but was out of all Patience upon two other Points; the one, that the *Swedes* ſhould expect or pretend he ſhould anſwer to any Thing they propoſe, while they refuſe to produce their Powers to Treat with him, as they have done hitherto, notwithſtanding all the moſt preſſing Inſtances that the *French*, the *Dutch*, and myſelf, have uſed towards them, not to delay that any longer. The other Point was, that the *Swedes* do mention, as you ſee, the Duke of *Holſtein* and his Intereſts, in their Propoſitions; for he ſays the King of *Denmark* will run any Riſque, rather than ſuffer the Concerns of that Prince to be brought upon the Board in this Place; the utmoſt that the Duke can do, being to refer himſelf to his Majeſty's Mediation, to be interpoſed in ſome other Place, not in this Aſſembly.

I ſpoke with M. *Blaſpiel*, and found him fair enough; I told him, the *Swedes* deſired no more but to keep what they have till the Peace can be made; for he ſaid the Elector would never endure to hear of undoing any Thing upon a Ceſſation, tho' he might upon a Peace: When I preſs'd him to come to the Ceſſation without further Delay, and that it ſhould commence from the Day of the Subſcription, he was loth to come to that, ſaying, it was more natural for it to commence, when the Elector his Maſter ſhould be adviſed it was concluded here; letting me underſtand plainly enough, that he was in Hopes *Stralſund* would be in the Elector's Power by that Time.

I muſt confeſs, I thought I had an unanſwerable Argument to preſs him and M. *Heugh*, as I did the beſt I could, to cloſe with the Ceſſation out of Hand; the Danger to the Empire is ſo certain, ſo imminent from the *French* Forces now upon the *Meuſe*, that nothing but a ſudden Suſpenſion can ſave it from a fatal Blow in one Place or other, which will utterly diſable it from giving that Countenance it does as yet give to the Peace of the Allies in the *North*: On the other Side, the Advantage is but very ſlender, and not at all certain, which the *Dane* and the *Brandenburgher* can promiſe to themſelves by delaying it; for we hear of nothing the Arms of *Denmark* hath in Proſpect at this Time, and 'tis not pro-

probable that the Places in *Pomerania* will give themſelves up ſo ſuddenly to the Elector; *Stralſund* having, as they ſay, received the C. *Coningſmark*, and *Gripſwald* being, as the *Holſteiners* give out, provided for the Winter.

Last Night the *Imperialiſts* had a long Conference with M. *Heugh*, where the *Brandenburgher* was alſo; the Account I have of it this Day from M. *Stradtſman* is, that they, the *Imperialiſts*, preſs'd the two other all that was poſſible, but could not bring them to concur to a preſent Ceſſation; the *Dane* would have it long enough to cover them from the Operation of the *Swedes* in *Norway*, when the Poſt comes; and the *Brandenburgher* would not conclude himſelf, till he ſee clearer what is like to become of *Stralſund*.

Having now ſpoken with M. *Heugh*, I do not find the *Imperialiſts* wrought much upon him laſt Night in their Conference together, he refers himſelf to a Communication he is to have this Afternoon with M. *Blaſpiel*; from whom he tells me, he hath moſt poſitive Orders not to depart or ſeparate, tho' the *Imperialiſts* and all others ſhould do it: I do not find he would finally reject the *Swediſh* Propoſitions, if they were ſomewhat tempered; but if the Elector ſhould ſtand out upon never ſo unpracticable Pretenſions, his King, he ſays, is reſolved not to leave him. I cannot yet meet with M. *Blaſpiel*, to ſpeak with him. The King of *Denmark* and the Elector of *Brandenburgh* have had no Interview, the contrary Winds having hindered it; and that King hath now given over the further Thoughts of it, and is gone into *Schoonen*.

I have adventured upon the Letter that goes incloſed, which M. *Schutz*, the *Zell* and *Wolfenbuttel* Miniſter, writ to me, he calls it a *Billet*, to enter into Commerce with him, and to receive his Powers; but before I did it, the Baron *Platen*, who is the *Oſnaburgh* Miniſter, came to me, and deſired I would alſo take his Teſtimony, in Confirmation of what M. *Schutz* had writ, he being aſſured from his own certain Knowledge, that he had no Character before the Journey he made hence to the *Hague*; and indeed, the Date of his Powers being compared with the Time he went Home, is an Evidence he could not then have the Powers he now produces.

I have incloſed likewiſe a Letter I have from the Duke of *Luxemburgh*, and my Anſwer to it; upon which I muſt beg your further Directions if any Thing be to be done, as I cannot think there is, in his Buſineſs.

L. Jenkins.

Nimeguen, 3d Octob. 1678.

Right Honourable Sir,

Since my laſt, which was the 30*th* paſt, I have not the Favour of any from you come to Hand.

Tho' I have done nothing elſe ever ſince but run to and fro between the Parties, in order to reconcile the Differences between them about the Ceſſation, yet I cannot ſay that the great Difficulties are in any Way of removing; and for that Reaſon, the leſſer ones are not hitherto accommodated in expreſs Terms.

One great Difficulty between the *Imperialiſts* and *French* is, the firſt pretend the *French* ſhould withdraw their Troops out of the whole Territory belonging to the City of *Strasburgh*; the *French*, on the other Side, pretend not only to keep the Forts they are poſſeſſed of near the

City, (which, according to the common Principle of the Ceſſation, cannot be denied them) but alſo ſo far to continue the Blocade, that no more Proviſions or Supplies enter into the Town, than what both Sides ſhall agree (as it was propoſed lately concerning the ſupplying of *Mons* in *Hainault*) to be a Proportion requiſite for its Subſiſtence during the Ceſſation; this laſt, as it would be hard in itſelf, ſo it would give the Elector of *Brandenburgh* a Ground to pretend the ſame Thing againſt *Stralſund*.

ANOTHER Difficulty between them is, about Prince *William*'s Liberty; the *Imperialiſts* would have the whole Demand waved for the preſent, and the rather, in that his Liberty is certain when the Peace is made; beſides that, 'tis not a Demand that can properly enter into a Ceſſation: To this the *French* ſay, 'tis a Preliminary, and ought to have been ſatisfied three Years ago: But M. *Colbert* told me yeſterday, he would come to this Expedient, to accept of a ſeparate Writing under the Hands of the *Imperialiſts*, that he ſhould be ſet at Liberty within one Month, and that they might take what Pretext they ſhould think fit for ſo doing; ſaying, they would let him go into *England*, at the Requiſition of his Majeſty. This I carried laſt Night to the *Imperialiſts*, but they took Time to deliberate; tho' GOD knows they ought to be as brief as is poſſible in their Deliberations, conſidering the ſad Aſpect that Things have in the Empire and *Hungary* at this Time.

THE Differences about the Ceſſation in the *North* lie thus. I am in Hopes to receive ſome time this Day the Powers of the *Swediſh* Ambaſſadors to Treat with the *Danes*; for I got yeſterday from M. *Heugh*, a Declaration in Writing, how far he was ready to ſatisfie the *Swedes* in their Demand of a full Liberty of Correſpondence with their Court; this he did dictate to me with much ado, giving me a Power to communicate it to the *French*, but by no Means to the *Swedes*, till they had given in their Powers, which the *French* gave me Hopes yeſterday they would be able to bring me ſome time this Day.

BESIDES what M. *Heugh* dictated to me, to clear this Preliminary, I take Leave to incloſe the Anſwer that M. *Heugh* makes in a ſeparate Writing, to the ſeveral Conditions that the *Swedes* would have inſerted into the Ceſſation, wherein there is nothing (if the one Side and the other will govern themſelves by the common Principle of preſent Poſſeſſion, that the Ceſſation is founded upon) that they can differ in; but how M. *Heugh* will be brought to agree the Admiſſion of the *Holſtein* Miniſters, and the regulating of Quarters in his Country, I do not yet ſee; he ſaying it is the bringing of his Head to a Scaffold at *Copenhagen*, to conſent that mention be made of the Miniſters or Intereſts of that Prince (who profeſſeth himſelf to be no Party to the War) in a Treaty that is only ceaſing of Hoſtilities between thoſe that are in the War.

I ſend you likewiſe M. *Blaſpiel*'s Anſwer, upon the great Article of diſpoſing of the Armies and the Quarters in *Pomerania*; it hath indeed an odd Turn, but agrees with the common Principle; as to the reſt of the Demands of *Sweden*, M. *Blaſpiel* will have no Difficulty; only I muſt obſerve, that neither he, nor M. *Heugh*, is agreed of the Length that the Ceſſation is to be of, M. *Heugh* contending earneſtly it may be of ſome Months; but his Allies will probably carry him to conſent to the *French* Term, which is to be but 6 Weeks.

I cannot but think that a Treaty underhand is managing by the *Imperialiſts* for a Peace with *France*. 1. The Auditor hath lately propoſed to M. *Colbert*, that an Article might be inſerted into the Treaty of Peace, whereby *France* ſhould oblige itſelf to accept of an Equivalent for *Friburgh*, ſuch as ſhould be agreed among themſelves; or elſe ſuch as ſhould upon

upon an Arbitration be judged reaſonable; beſide, M. *de Grana* hath founded M. *Beverning* upon this very Point, tho' tis not likely the *French* will ever come to any Temperament or Exchange; for the Emperor making it a Point of Honour to keep *Philipsburgh*, it is like *France* will think the ſame of *Friburgh*; for in ſo doing it will have preſcribed the Peace. 2. The *French* Ambaſſadors do upon all Occaſions ſay, the Peace of *Germany* will be made, and they go hence in two Months Time at furtheſt. 3. If ſome ſuch Thing were not in View, I do not ſee what Buſineſs ſhould detain M. *de Grana* in this Place, nor why the *Imperialiſts* ſhould not puſh on their Ceſſation to ſome Iſſue, but let it ſtand as they have done this laſt Fortnight. But this is no more but my own bare Conjecture; yet if this ſhould be the Iſſue, there would be a hard Task left upon his Majeſty's Hands, which is the Peace of the *North*; the Empire going hand in hand with the *Northern* Allies, is hitherto of great Moment to bring about a tolerable Peace for the *North*; but if they ſhould be once ſeparated, the Peace of the *North* would be in all Probability very unequal, and therefore difficult to bring about. I am, *&c.*

L. Jenkins.

Nimeguen, 7th Octob. 1678.

Right Honourable Sir,

THE reading of your two Letters, the one of the 30*th* paſt, the other of the 1*ſt* Current, could not but fill me with Horror and Amazement: His Majeſty's Life, which I beſeech Almighty God long to preſerve over us, being, as the Scripture ſays, *the Breath of our Noſtrils*, and his Reign all along having been ſo full of Royal Goodneſs and Security to thoſe that will be quiet and orderly, and ſo full of Clemency and Pardon even to thoſe that will not be ſo, ſure they muſt be Spirits come up from Hell itſelf, that can enter into ſuch a Conſpiracy againſt his Sacred Perſon; and I doubt not but that Bleſſed Providence that hath hitherto watch'd over him, will ſtill continue to do ſo, to the diſcovering, defeating, and deſtroying of all traiterous Deſigns, their Authors and Abetters.

I found that the News of this Plot flew about this Place as ſoon as the *Engliſh* Letters came in yeſterday; and M. *Beverning* was with me laſt Night, to know of me what I could ſay with Certainty of it; I had nothing to ſay, but that which you had pleaſed to impart to me in your two Letters. He had heard from M. *Meinders*, (the *incognito* Miniſter of *Brandenburgh* here) that the Information ran, as if the *French* King and *Don Juan* had been acquainted with the Plot, and that ſome of his Majeſty's Officers would have ſeized upon a Prieſt belonging to the *Imperial* Miniſter there, and had ſearched for him in the *Spaniſh* Ambaſſadors Houſe. However theſe Things prove to be in Fact, I beſeech God to preſerve his Majeſty, and to direct and enlighten thoſe that labour in the Diſcovery.

In my laſt, which was the 3*d* Current, I gave you an Account of what then occurr'd of the languiſhing Condition of our Ceſſation, as 'tis Treated here; ſince that, on *Friday* the *French* Ambaſſadors and I had a Conference about their Part in the Ceſſation, and alſo concerning their Allies the *Swedes*. Touching their Part, they gave me back the Anſwer that the *Imperialiſts* had made upon my Project, having *apoſtill'd* it (as you will find it incloſed) in all the Articles where they do diſſent,

in the reſt accepting it as it lay. The Differences are not material, ſince the *French* do inſiſt no longer to keep *Strasburgh* block'd up; and ſince they do not expreſly provide that any Reſtraint be laid upon it, the *6th* Article for the Freedom of Commerce on both Sides gives it as fully the Benefits of the Ceſſation, as any other Place can pretend to. Tho' they will demand the Liberty of Prince *William* by an Article expreſs, yet they are content to wave the ſtipulating of it by Way of Article, provided the Mediators do give them a Promiſe in Writing, that it ſhall be done in a Months Time after the ſigning of the Ceſſation.

You will pleaſe to obſerve, I doubt not, how the Ceſſation is to laſt no longer than ſix Weeks Time.

Another Thing, concerning the preciſe Time the Ceſſation is to commence upon, is not ſo clear; the *French* had couched it well and full in their firſt Anſwer to me in the firſt Article of all; and there can be no Queſtion made, but that, according to that Project, the Generals are to ceaſe all Hoſtilities, as ſoon as they have notice of the ſigning of the Peace, and forthwith to withdraw the Armies into the Territories of their own reſpective Maſters; now you will find it, in the laſt Article of the Project incloſed otherwiſe couch'd; there is no Mention of the withdrawing of the Armies, and 'tis left to the ſeveral Ambaſſadors to take Care (which ſeems to imply no more but their Offices with the Generals) that Hoſtilities ſhall ceaſe before the general Ceſſation do commence, which is to be 15 Days after ſigning.

This little Variation (if it be ſuch as the *French* will lay hold on) is of vaſt Conſequence; for the Article, as the *French* had couch'd it at firſt, would have obliged the Armies, as ſoon as Notice came to them, to ceaſe, tho' they had been never ſo ready for an Operation; and conſequently M. *de Luxemburgh* might from hence, in two Days Time after ſigning, be ſtopt in his Attempt againſt *Juliers*, or any ſuch Place; but if he have 15 Days after ſigning left to his Diſcretion, there may be a great Blow given there, or ſomewhere elſe, notwithſtanding the Ceſſation ſhould be agreed on, if we ſhould have any, which I do extreamly doubt.

I doubt it, for that the *French* Ambaſſadors told me plainly in this Conference they would make none, if their Allies, the *Swedes*, do not come in; and then the *Swedes* ſay, they will not come in, if they may not have *Stralſund*, *Gripſwald*, *Damgarten*, and *Tribſées*, ſecured to them by the Treaty of Ceſſation, notwithſtanding any, or all of them, ſhould be taken even before ſigning here. Beſides, they ſay the *Swedes* muſt have full and preſent Satisfaction in the Points of the Duke of *Gottorp*, and in the Matter of the Liberty for their Letters and Couriers.

The *Swedes* Ambaſſadors brought me on *Saturday* their Powers to treat with *Denmark*, and left them in my Hands, but clogg'd with ſeveral Conditions to be obtain'd beforehand of M. *Heugh*; the main one was, to have a ſeparate Act put in my Hands for the Liberty of their Couriers and Letters, and this to be done, before we ſpeak further either of Truce or Peace; this M. *Heugh* hath juſt now granted me, only would have it to be void, in Caſe the Ceſſation do not hold: Other Points the *Swediſh* Ambaſſadors would not ſo much as touch upon in our Conference, till they have the full Satisfaction they pretend in this of their Correſpondence.

M. *Cannon* coming to ſpeak with me about the Affair of *Lorain*, (for whom I had the other Day moved the *French* Ambaſſadors to enter into Negotiation with him, as being a Miniſter that had all Powers neceſſary) he

he tells me, the *French* had received him very coldly, and had anſwered, they did not know whether the King their Maſter had not altered his Mind, as to the Alternative he had offered to that Duke in *April* laſt; for that the Time for accepting, and for the Duke to make his Option in, was long ſince laps'd; and this M. *Cannon* moſt humbly deſires his Majeſty might be informed of. M. *Cannon* being with M. *d'Eſtrades*, happened to touch a Word of the Ceſſation; to which the Mareſchal replied, that the Ceſſation would hardly obtain, becauſe the *Swedes* were not inclined to it; and as for them, the *French*, they had no need of it.

JOYNING what M. *Stradtſman* tells ſince this Noon from the Nuncio, you will ſee what little Hopes there are for the Ceſſation; for the Nuncio hath received Notice from the *French*, (which he is to impart at 3 this Afternoon to the *Imperialiſts*) that they intend to have the 15 Days after ſingning (which I have already mentioned as doubtful) entire for themſelves to act in, and yet they will have the *Swedes* to have the Benefit of the Ceſſation from the Day it is ſigned, and ſooner to, if they have loſt any Thing ſince *Rugen* in *Pomerania:* Yet, if I miſtake not, M. *Stradtſman*, M. *Heugh* and *Blaſpiel*, with whom I ſpoke a little before, would bring themſelves to endure all this, I mean, to yield all that is asked of either of the Parties, if they were ſure that they might have a Truce, tho' but of 6 Weeks, even at this hard Rate.

M. *Beverning* told me laſt Night, he would this Day propoſe ſome Terms of Accommodation and Peace in the Elector of *Brandenburgh*'s Behalf to the *Swedes*; and tells them plainly, the States will not finiſh their Peace with them, if the Elector's be not to be made up at the ſame Time, and that the States muſt and will interpoſe. I am, *&c.*

L. Jenkins.

Nimeguen, 10*th Octob.* 1678.

Right Honourable SIR,

SINCE my laſt of the 7*th*, I have not the Favour of any from you come to Hand. I told you in that, how M. *Beverning* intended to make a Propoſition to the *Swedes* Ambaſſadors in Behalf of the Elector of *Brandenburgh:* On *Tueſday* he gave me a Viſit, as he told me he had the ſame Day to M. *Oxenſtiern*, but when he begun to make the Overture, he found M. *Oxenſtiern* very ſhy in the Point, the Orders of their King were, he ſaid, not to receive any Propoſition, whereby it ſhould be pretended, that *Sweden* ſhould quit Claim to any Thing it hath loſt in this War, *non pas une poulie de terre*, was the Expreſſion: Beſides, they had an Eye at this Time upon the Army that is now upon its March out of *Liefland*, and likewiſe the Operations of the Forces of *France* upon the lower *Rhine*; their Confidence in the Aſſiſtance of that Crown being at this Time greater than ever, in that the King of *Sweden* hath received particular Aſſurances from the Moſt Chriſtian King, within theſe 3 Weeks laſt paſt, that he will do even more than his Treaties oblige him to, for the Re-eſtabliſhment of *Sweden*.

M. *Oxenſtiern* was deſirous to know the Particulars that M. *Beverning* had to propoſe; but he excuſed himſelf, for that he ſaw plainly the *Swediſh* Ambaſſadors would not enter into any Negotiation with him, and for that he thought the *Swediſh* Ambaſſadors were not ignorant of what the Elector of *Brandenburgh* would be brought too. M. *Beverning* being aware that M. *Meinders* had already opened himſelf to M. *d'Avaux* at

at the *Hague*, and let him know, the Elector would do the ſame Thing, and all that the States had directed M. *Beverning* to propoſe here; and that he acquainting, as 'tis to be preſumed he did, his Collegues, the *French* Ambaſſadors, it was to be ſuppoſed the *French* did communicate what came to their Knowledge to the *Swedes*; what there is in the Propoſition itſelf, more than the yielding of *Stetin* to the Elector, I could not perceive by M. *Beverning*'s Diſcourſe upon that Subject.

He gave M. *Oxenſtiern*, upon this Occaſion, a gentle Inſinuation (that was his Word) of the ancient Confidence, as well as ſtrict Alliance, that is between the States and the Elector, which their Neighbourhood, and their common Intereſt, would oblige them to have always a ſtrict Regard to; that the States did very much deſire, that the *Swedes* and the Elector might return the ſooneſt poſſible to a mutual good Underſtanding; and that they would contribute to it whatever ſhould lie in them.

From this Diſcourſe of the Peace, they went on to that of a Ceſſation, which M. *Beverning* told him, he had Orders from the States to promote as much as ſhould lie in him; it was M. *Beverning*'s Obſervation to me upon that Part of their Converſation, that it was much to be wiſhed the Peace between *Sweden* and the States were brought to its Perfection; that there were ſome Difficulties depending, and that there might be more, if not prevented by a ſpeedy Concluſion between them, the States, the *Swedes*, and the Elector; that the *Swedes* will conform to any Thing that the *French* would have in this Matter; their Dependance is ſuch at preſent upon the Aſſiſtance they expect from the *French*, that they for their Parts will not ſtick upon the Length or the Shortneſs of the Ceſſation, nor upon its being general, or limited to certain Places; that they muſt govern themſelves in this, as the *French* ſhould judge moſt convenient. This M. *Oxenſtiern* told M. *Beverning* in ſpecial Confidence, and he told it me as a Thing fit to be laid before his Majeſty, but with his moſt humble Suit, that whatever Uſe he made of it, his Name may not come in Queſtion.

In this Converſation, he told me, 'twas ſomewhat ſurprizing to his Maſters at the *Hague*, that the *French* Ambaſſadors there ſhould by a Memorial deſire the States to void *Maeſtricht* and *Haſelt*, which is not like to be ſo ſoon done, for the States have Reckonings and Pretenſions againſt *Liege*, for which they muſt be allowed to take their Precautions.

On *Tueſday*, M. *Colbert* came to tell me, the Ceſſation between them the *French* and the *Imperialiſts* was in a good Way; that it was true, they could not yet agree in the Wording of two or three Things, but they were ſuch as neither Party would break upon; that the *Brandenburgh* Ambaſſador (as he had been informed) was content to antidate the Ceſſation, ſo as it ſhould commence, as to his Maſter, the 4*th* or 5*th* of this Month, *O. S.* the better to ſecure to *Sweden* the 4 Places in *Pomerania*; that he hoped the Ceſſation would be agreed notwithſtanding all Difficulties, and that he and his Collegue did their utmoſt to remove all that lay in the Way; that he deſired I would labour with the *Imperialiſts*, to give an Anſwer in Writing to the *Swediſh* Propoſitions; that for the 15 Days, they, the *French*, do demand between the Subſcription and the Ceſſation of Hoſtilities, they will ſhorten them if it be poſſible, but ſend to the Generals they dare not, they can but ſend to their King when the Treaty is ſubſcribed, and 'tis by Orders from him, that the Generals are to ceaſe Hoſtilities; that he declares to all the World that his King hath no Intereſt or Intention to continue the War but in Order to the Reſtitution of *Sweden*; that the Moſt Chriſtian King would

would be very well ſatisfied, if *Sweden* did accommodate its Differences, by parting with ſome of thoſe Things the Allies have got from it; but that he cannot in Honour ask the *Swedes* to do ſo, ſince all this Loſs is befallen them by their having entered into the Quarrel of *France*. Moſt of this he was pleaſed to repeat to me, upon an Occaſion I had to be with him laſt Night, yet the Ceſſation advances not; M. *Kinski* told me laſt Night, that there are ſome Things put to them, in the wording of which they, the *Imperialiſts*, cannot agree. But I perceive 'twill not be impoſſible to bring M. *Blaſpiel* to antidate (as M. *Colbert* ſaid) the Ceſſation for his Part, as the *Swedes* do pretend it, for he ſays the Elector will yet have three Weeks work to take in *Stralſund*.

The Obſtruction between the *Dane* and *Swedes* is this, the *Swedes* will have an Act from M. *Heugh* put into my Hands, for a free Paſſage of their Letters and Couriers during this Negotiation of the Peace, and that this be done before they enter into Treaty of the Ceſſation, or the Powers be changed: M. *Heugh* is content to do it, but with a Declaration, that the Act is to be of no Force in caſe the Ceſſation do not take Place; and this Declaration he would have me atteſt, and give it him in Writing for his Diſcharge; this the *Swedes* will not endure, they will have the Act without any Limitation or Condition, or elſe none at all; and here they ſtick.

Only there is a new Incident come to Light late laſt Night, that will yet more hinder their agreeing, it is, that the Courier that the *Swedes* diſpatch'd with M. *Heugh*'s Paſſport towards their King, was detained at *Copenhaguen*, and probably would not be ſuffered to go on; M. *Colbert* giving me this Alarm late laſt Night, I went ſtrait to M. *Heugh*, to know what Truth there was in this that M. *Colbert* had had from M. *d'Olivenkrantz*: M. *Heugh* ſhewed me the Chancellor of *Denmark*'s Letter of the 1*ſt* of *Octob. O. S.* to himſelf, (that Chancellor by the way writes to M. *Heugh* in *French*, and ſo do all the *Daniſh* Miniſters Abroad the one to the other, and, as I take it, to their King to) he tells me, the Courier of the *Swediſh* Ambaſſadors from *Nimeguen* was arrived; that they ſtopt him, becauſe the King of *Denmark* was gone over to his Army in *Schoonen*; but that the Courier ſhould be at Liberty to paſs over the Morrow after, or the next Day at furtheſt. When I brought this Anſwer to M. *d'Olivenkrantz*, he was far from being ſatisfied with it; for ſuppoſing the *Daniſh* Army in Motion, the Courier might, ſaid he, have been ſuffered to paſs ſtrait to *Maline*, and ſo he ſhould not have come near the *Daniſh* Army. Beſides, he obſerved, that the Courier arriving there the 26*th* of *Sept.* and not to go as the Chancellor reckoned till the 31*ſt*, there was 5 Days Stop put upon him; and conſequently the Courier that ſhould have arrived here, (as the *Swedes* compute it) two or three Days hence, is not to be expected now in 8 or 10 Days; and all this while they will be in the dark, as to the Intention or Condition of the King their Maſter. This moving of the Army was in order to a Battle; if it go for the *Dane*, ſays M. *d'Olivenkrantz*, there will be no Ceſſation agreed to by M. *Heugh*; if for the *Swede*, they, the *Swediſh* Ambaſſadors, ſhall know nothing of it, their Correſpondence with their Court will ſtill be ſtopt.

Having writ thus far, the *French* Ambaſſadors came to my Houſe, and tell me, they have this Day Orders from the King their Maſter, to give more and more Eaſe to the Peace, and to the Ceſſation to; therefore they deſired me to inform the *Imperialiſts*, that he will be content with *Friburgh*, and one League of the Country round about it, and a Way half a League broad from *Friburgh* to *Briſack*, provided *Philips-*

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burgh be razed, and rendered to the Biſhop of *Spire*, never to be fortified again; but if the Emperor ſhould pretend to keep *Philipsburgh*, the Moſt Chriſtian King would in that caſe pretend to keep *Friburgh*, and all the *Briſgaw*.

FOR the Ceſſation, he offers this Facility, that the Emperor withdraw all his Troops the other Side of the *Rhine*; that his Ambaſſadors here promiſe expreſly, not to take Quarters in the Lands of the Elector of *Bavaria*, Duke of *Hanover*, and Biſhop of *Strasburgh*; that it may be free for the Moſt Chriſtian King to lodge his Forces in the higher and lower *Alſatia*, and in all the *Briſgaw*; that theſe two Points being accorded, all that relates to the Ceſſation is on their Parts agreed; that it would be well if the *Imperial* Ambaſſadors would come to a quick Reſolution upon this Subject, and not take Time to write to the Emperor about it; for that the Operation of the *French* Arms may change Things ſo, as a ſudden Peace may be the readieſt Means to prevent greater Inconveniencies. This was the Sum of their Diſcourſe.

THESE Orders ſeem to be come but this Day; you will eaſily ſee what is new in them as to the Peace; a Territory, and a Way to *Friburgh*, is indeed natural and neceſſary, but we never heard of retaining all the *Briſgaw* before, in caſe that the Emperor kept *Philipsburgh*; as to the *Armiſtice*, the not naming of *Bavaria* and *Hanover*, was agreed by the *French*; but to day they ſay, *Nous ne pouvons nous en diſpenſer*. The Caſe is hard, but I doubt it will be much harder before they have done.

HEREWITH incloſed you will receive the Anſwer of the *Imperialiſts* to the *Swediſh* Conditions of the Truce, as alſo two Articles, as the *Imperialiſts* would have them reformed, upon the *French Apoſtils* ſent you in my laſt. Incloſed goes a Clauſe of a Letter which M. *Blaſpeil* ſent me on *Saturday*, wherein the *Swediſh* Miniſter in *France* complains, that *England* propoſes a Ceſſation to the Prejudice of *Sweden*. I am, *&c.*

L. Jenkins.

POSTSCRIPT.

JUST as I am ſigning, the *French* Ambaſſadors ſend to deſire me not to move or mention any Thing of what they had ſpoke to me this Day, to the *Imperialiſts* or any other, till they and I do ſpeak together; which they ſent me Word ſhould be ſome Time to Morrow.

Nimeguen, 14*th Octob.* 1678.

Right Honourable SIR,

SINCE my laſt, which was of the 10*th*, I have the Favour of one of the 7*th* from you, dated at *Newmarket*; for which I moſt humbly thank you.

I told you in the very cloſe of the laſt, how the *French* Ambaſſadors had deſired me to forbear declaring the Meſſage they had charged me with to the *Imperialiſts*, till they ſhould ſpeak with me, as M. *Colbert* did late laſt Night. The Reaſon was, they had been informed the *Imperialiſts* would look upon that Propoſition as a new Law preſcribed them, and conſequently would do nothing upon it; that they had therefore reſolved to give in (within a Day or two) a Propoſition on their Part to the *French*, and by that Means to prevent that Shame that it would be to them otherwiſe, to have the Conditions of the Peace impoſ-

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ed on them a ſecond Time: That they, the *French*, having diſcovered this, were content to let the *Imperialiſts* take their own Courſe; and would for a Day or two expect and ſee what they would be at; therefore they deſired me to forbear my Offices upon the Meſſage they, the *French*, had charged me with, till we ſhould talk further.

On *Saturday* the *Imperialiſts* delivered me a Propoſition of their own, but not in Writing, only I took the Words (as they among themſelves did agree them) into my Table-Book, the Words were theſe: *Que Meſſieurs les Ambaſſadeurs de ſa Majeſté Imperiale ayant toujours tâchez d'apporter de leur côte tout facilite a l'Armiſtice, comme au moyen le plus propre pour arriver à la paix, ſont bien aiſes de donner encore cette preuve convainquante, que dans cet Armiſtice leur veritable but n'eſt autre que la paix; c'eſt pourquoy ils ſe declarent qu'admettans la propoſition faite au mois d'*Avril *dernier par Meſſieurs les Ambaſſadeurs de* France *d'une Alternative, & du Traité de* Munſter *ils ſont preſts apres la Concluſion d'un Armiſtice ſoit general, ſoit particulier, d'entrer en Traité ſur le pied de la dite Alternative, & du Traité de* Munſter *pour autant qui regarde S. Majeſté* Imperiale *& l'Empire.*

The *French* Ambaſſadors found Fault with this Declaration, (when I brought it them, as I did the ſame Evening) firſt as too general, then as captious; that 'tis too general, appears, ſaid they, by the Words of it; and 'tis captious too, in that the *Imperialiſts* pretend to accept of the Propoſal of the Alternative, as if it were ſtill free for them to chooſe which Part ſhould pleaſe them beſt in the Alternative, whereas that Time in which they might, and ſhould have made their Choice, being long ſince elapſed, they are now to be determined to that which *France* is content to leave them: Upon the whole Matter, they deſired me to carry the Meſſage they had charged me with on *Thurſday* to the *Imperialiſts*.

Yesterday M. *Colbert* brought it me, but ſomewhat altered, and gave it me in Writing; it grates the harder, as you will find, (for it goes herewith incloſed) upon the *Imperialiſts*, in that it ſays, they have lapſed the Time prefix'd them, and that the Moſt Chriſtian King might have propoſed other Conditions, the firſt having not been accepted within the Time; as alſo in that it ſpeaks of his Conſent to the demoliſhing of *Philipsburgh*, in order to content the Princes of the Empire.

The *Imperialiſts*, when I delivered them this Meſſage, complained of the *French* having departed from the Ceſſation, which was in a Manner agreed between them: To this the *French* do anſwer, that they, for their Parts, are not againſt a Ceſſation, but they cannot bring the *Swedes* to it, who expect great Matters from their Army in *Livonia*. Beſides, 'tis of no Uſe between the Empire and *France*, for that the Peace is as ſoon made (if not ſooner) as the Ceſſation; there being nothing between them but the Difference about *Friburgh*, ſince the Treaty of *Munſter* is agreed of all Hands to be re-eſtabliſhed.

M. *Colbert* told me yeſterday, that he is perſwaded the *Imperialiſts* are in good earneſt for a ſudden Peace; and that the Emperor entering into the Peace, the States of *Brunſwick*, and the new Biſhop of *Munſter*, would forthwith relinquiſh the Pretenſions they have by Conqueſt; ſo that none, in his Judgment, ſtand out againſt the General Peace, but *Brandenburgh* and *Denmark*; he told me, as he had done before, that they, the *French*, had no Intereſt to continue this War, nor Intention to continue it longer than till *Sweden* be reſtored; You know what Profeſſions the Miniſters of King *Lewis* XIII. made, when the *French* Arms firſt joined with *Sweden*; and how they were forgot, when it came to the Trial.

M. *Beverning* told me on *Saturday*, that he believes the *French* will not actually void *Maeſtricht*, till the Ratifications between *France* and *Spain* be exchanged; and he allows they have ſome Reaſon on their Side, for that the States had ordered him and his Collegue, upon the Exchange they had made of their Ratifications with the *French*, to tell them, the States meant, the Treaty of *Spain* ſhould be ratified to in its Time, as in ſome Manner a Part of the *Holland* Treaty; yet, ſaid he, if the Fault of not ratifying ſhould be on the Side of the *Spaniards*, the *French* were not to be blamed for it. We have yet no News of the Ratifications from *Madrid*, and it was yeſterday was 5 Weeks that the Courier went hence for *Spain*.

M. *Beverning* complained of the *French* for ſeveral Things they do at *Maeſtricht*, contrary to fair dealing, to weaken the Place; and fears thoſe and other Things may quickly breed ill Blood; for he obſerves there is a general *Aigreur* againſt that Nation in the Court at the *Hague*, and in the Provinces too, thoſe Trading Towns excepted that cryed out for this Peace.

THE City of *Cologn* hath agreed to pay the Money taken from the *French* in 1673, and is now labouring to get into the Neutrality, which probably 'ere this is accorded; the Electors *Palatine*, *Mentz*, and *Triers*, are ſaid to be labouring the ſame Thing; this I take for certain, that they have Miniſters at this Time at the *Hague*, whoſe Buſineſs is, to ſollicit the States to take them by way of Comprehenſion into the Treaty with *France*; theſe Neutralities and Comprehenſions, if they take Place, will infinitely influence the Affairs of the Emperor. I remain, *&c.*

L. Jenkins.

Nimeguen, 17*th Octob.* 1678.

Right Honourable SIR,

HAVING no Letters out of *England* come to Hand ſince my laſt, which was of the 14*th* Current, I have little to trouble you with this Ordinary; for ſince I paſs'd my Offices on *Sunday* laſt with the *Imperialiſts*, upon the new Overture that the *French* Ambaſſador had put into my Hands, I have not heard one Word from either of thoſe Parties. It is not to be imagined, but that the Emperor hath long ſince inſtructed his Ambaſſadors, of his laſt Mind upon the main Point of that Overture, which is, the razing of *Philipsburgh*, and the yielding of *Friburgh* to the *French*; M. *Beverning* having above a Month ago had Commiſſion from them, to ſound the *French* Ambaſſadors, (by way of Diſcourſe only) whether they would be content, *Philipsburgh* being razed, to render *Friburgh*, being razed alſo, to the Emperor. But if they ſhould happen to be ſo miſinſtructed, that they muſt ſend to *Vienna* now for an Anſwer, M. *Colbert* did intimate to me on *Sunday*, they, the *French*, could not ſtay ſo long for an Anſwer, but muſt enter upon other Meaſures.

THAT which moſt probably retards their Anſwer is, they would firſt ſee whether the Ratifications will be brought from *Spain*, and exchanged with the *French*, the Day after to Morrow is the very laſt Day of the 6 Weeks; and I am credibly told, that they expect there ſhould be ſome Rub in the Matter, the *Imperial* Ambaſſador at *Madrid* being ſaid by them here, to have got ſomething in Writing under the King of *Spain's* Hand, that he will never ratifie a Treaty ſo prejudicial to the Emperor, and the Union of the Houſe of *Auſtria*, as this between *France* and *Spain* (particularly in the Neutrality to be ſtipulated) was repreſented to that King to be; but this was before the Treaty itſelf arrived, and that Article is much ſmoother than it was at firſt.

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BUT M. *Beverning* will not (as he told me on *Tueſday*) believe it poſſible there ſhould be any Stop in the ratifying, yet he imputes it to the *French* Caution in providing againſt ſuch an Incident, (if any ſhould happen) that they do not, nor will not void *Maeſtricht*, till the Exchange of the Ratifications be over; and he is ſo much in Expectation of it, that he ſtays in Town on Purpoſe to ſee it diſpatch'd; otherwiſe he would have taken a Turn this Week to his Country-Houſe, it being now his prime Seaſon for Planting.

YOU will pleaſe to remember, SIR, I have a Petition depending before his Majeſty, to know his Pleaſure how far I am to appear or intervene, in caſe this Peace of the Emperor with *France*, (which ſtill will be a ſeparate one) or elſe a Ceſſation, or both, do go on to a Concluſion; you know I cannot ſign without one at leaſt of my Collegues, our Commiſſion directing a *Quorum* of two; and whenever we do ſign, our Commiſſion of Mediation, (whereof all here have Copies) as well as the Powers of the Parties, muſt be annexed to the Original Treaties.

I am apt to think if we were a *Quorum* here, we ſhould be declined with ſome Induſtry as to the ſubſcribing Part; for in the ſubſcribing, the firſt Column for the Names would belong to us as Mediators, which would be a clear Deciſion againſt the *Imperialiſts*, in the ceremonial Point between us: Beſides, Men that have Pretenſions in the Court of *Rome*, as the Biſhop of *Gurck* is thought to have, muſt make their Court on ſuch an Occaſion as this; and it will be reckoned a Service, to bring the Nuncio to be Party to this Peace of the Empire, and conſequently to recover that Part which the Nuncio miſs'd, in not coming into the Treaty when it was ſigned between *France* and *Spain*.

HOWEVER the Peace do go on or not, I perceive M. *Heugh* is not ill pleaſed that the Ceſſation is ſo like, as now it is, to be quite laid aſide; he told me on *Monday* Night, he was altogether paſſive; or rather, the Extent he gave extorted from him by the *Imperialiſts*. A Ceſſation then, when they were hotteſt upon it, being very prejudicial to them in *Denmark*. When I told him my Wiſhes, that he would endeavour to get out of the War at one and the ſame Time with his Allies, and gave him the beſt Reaſons I could for his ſo doing; he told me, nothing was ſo like to bring them off in *Denmark*, as a reaſonable Propoſition to be made by his Majeſty; for without it be reaſonable, that is, as he explained himſelf, that they may keep ſomething that they have got, the King his Maſter will never enter into a Peace with *Sweden*; he'll loſe all he hath got, and hazard the reſt too, rather than ſubmit to a ſhameful Treaty, whereby he ſhall be obliged to give up all; and to tell his King that the Houſe of *Brunſwick*, the Biſhop of *Munſter*, and the Elector of *Brandenburgh* too, will yield up all their Conqueſts, and leave him to ſtand the Shock alone, moves him not: M. *Heugh* aſſuring me, with the greateſt Affirmations that could be, his King will never be brought to do the ſame by Treaty.

I came now at 11 from ſpeaking with M. *Stradtſman*, who tells me no more, but that he and his Collegues will reply in Writing to the Anſwer (for ſo it would be underſtood of the *French* Ambaſſadors) that I ſent you in my laſt, bearing Date the 23*d* Current, *N. S.* He did not tell me any Thing, tho' I asked him, of the *Spaniſh* Ratification, whether it be like to come or not, their Letters that came to Hand from *Spain* this Morning being not yet (as he told me) out of Cypher; and they are to expect the leſs in this Diſpatch, for that the *Imperial* Ambaſſador in that Court was newly dead; he had found M. *Beverning*, he ſaid, in ſome Pain yeſterday about theſe Ratifications. Mine from Sir *W. Godol-*

phin of the 8*th* Current, *N. S.* ſpeaks of the Treaties being ſent on the 6*th* from the Eſcurial, where the Gentleman that brought it had arrived the firſt, to the Council of State at *Madrid*, to be examined and conſulted upon; and that the Opinions, as he heard, were generally againſt the ratifying of it, at leaſt not without ſome Alterations.

M. *Stradtſman* tells me, that M. *Beverning* had ſome few Days ago, (but not in the Name of the States) ſpoke with the *French* Ambaſſadors for the comprehending of the Duke of *Newburgh* in their Peace, according to the 19*th* Article of the Treaty of Peace between *France* and *Holland*; but that the *French* Ambaſſadors had anſwered, that the Duke could not be comprehended, becauſe he had not accepted the Conditions of Peace preſcribed by *France* before the Time was lapſed, which was the 10*th* of *May*. In this Anſwer, M. *Beverning* does the leſs acquieſce, becauſe that the *French* had propoſed the Article for thoſe only that had accepted the Conditions of *April*; but that they, the *Dutch*, would not ſuffer the Clauſe to ſtand, it appears yet in the foul Draught to have been ſtruck out; M. *Beverning* was yeſterday in Expectation to receive Orders to inſiſt upon the Admiſſion of that Duke, being he hath asked it within the 6 Weeks: This I have from M. *Stradtſman*, who tells me by the Way, that they, the *Imperialiſts*, enter not at all into this Matter.

But I perceive the *Imperialiſts* are much Embarraſſed what to reply to the *French*, upon their Demand to have *Philipsburgh* razed, and what they, the *French*, ſhould mean by that Clauſe in their Anſwer, *au plus leſdits Ambaſſadeurs de* France *perſiſtent dans toutes les autres Conditions qu'ils ont cy devant propoſeés pour les Alliez de la* France, for that may bring in a very large Reckoning, this we ſhall know upon the Reflexions that the *French* ſhall have Occaſion given them to make upon the Reply of the *Imperialiſts*. I am, *&c.*

L. Jenkins.

Nimeguen, 21*ſt Octob.* 1678.

Right Honourable Sir,

My laſt was of the 17*th* Inſtant; ſince which, we have no Letters out of *England* come to Hand.

We have no more Doings here about the Ceſſation of Arms, all the Negotiation that is now, at leaſt openly on Foot, is, touching the Peace itſelf between the *Imperialiſts* and the *French*; but they are got into the old Way of doing it by elaborate Writings, to be handed from one Side to the other, whereof you'll have two herewith incloſed. The one dated the 19*th* Current, is a Reply of the *Imperialiſts* to the *French* Memoir of the 23*d*, *N. S.* wherein the *Imperialiſts* do, but in too clear Terms, except the Conditions propoſed by *France* in *April* laſt.

Next, they take it for granted, that the Moſt Chriſtian King will ſtand to thoſe Conditions, in Regard, that in the 19*th* Article of the Treaty between *France* and *Holland*, there is a Faculty reſerved to the Allies of the States General *to accept the Peace* at any Time, within 6 Weeks after the Ratifications ſhould be exchanged; and that it muſt be the Peace offered by *France* in *April* laſt that is there meant; *France* having never propoſed any other to be accepted of, and the Time for accepting what is propoſed being not yet lapſed.

Hence they infer, that they, the *Imperialiſts*, having accepted the Conditions, the Emperor is at Liberty to take his Choice of the Alternatives propoſed; that is, to keep or part with *Philipsburgh* or *Friburgh*, as

as he ſhall think beſt. But, ſay they, ſince the *French* ſhew a Deſire to have *Philipsburgh* demoliſhed, we ſhall not refuſe to treat of that, provided the Emperor be not to part with *Friburgh* and *Philipsburgh* too by the Bargain. They cloſe all, with offering and admitting the Ceſſation as 'twas propoſed by the Mediators.

This is the Sum of their Paper, which they would needs leave in my Hands on *Saturday:* I would have declined the receiving of it; nor did I receive it, but to help my Memory; and when I paſt my Offices with the *French* the ſame Evening, I did not leave with them a Copy of it, being deſirous to keep the Parties to the Rule eſtabliſhed here long ſince by common Conſent, which is, to avoid this formal Kind of Writing as much as is poſſible.

But tho' I did my Office by Word of Mouth with the *French*, the Nuncio did his by leaving with them a Copy of the Memorial itſelf, and ſo it hath begot another ſet Writing from the *French*, in Anſwer to it; the Subſtance whereof is, That they, the *French* Ambaſſadors, take it for granted, that the *Imperialiſts* do, for the Emperor and Empire, agree the Treaties of *Weſtphalia* are to be re-eſtabliſhed in all their Points; and conſequently, that they do agree to the Conditions neceſſary, and ſuch as may be juſtly demanded of the Emperor, in Order to attain that End.

For this being ſuppoſed (elſe let the *Imperialiſts* pleaſe to ſpeak out) the entire Satisfaction of *Sweden*, of the Duke of *Gottorp*, and of the Houſe of *Furſtemburgh*, are Things that will neceſſarily fall in.

That as to what concerns *France*, it is content to hold to the Alternative firſt propoſed, tho' the Time to accept it be long ſince elapſed; and tho' the *19th* Article of the Treaty of *Holland*, will in no wiſe ſerve to prorogue it, *France* will be content with *Friburgh*, and a League round for a Territory, together with a Paſſage to *Briſack*, in Caſe the Emperor will raze *Philipsburgh*, and leave it to the Biſhoprick of *Spire*; but if the Emperor will needs keep *Philipsburgh*, *France* pretends to retain the whole Province of the *Briſgaw*, together with *Friburgh*, the Capital of it.

That as to the Ceſſation, it cannot be imputed to them, the *French*, that it is not long ſince agreed; that it is the *Daniſh* and *Brandenburgh* Ambaſſadors, have done all they can to hinder it, inſomuch that the Courier that went from hence to the King of *Sweden*, was (notwithſtanding his Paſſport) ſtopt at *Copenhaguen*; that therefore they, the *French*, renew their Inſtances again, for the free Paſſage of Letters and Couriers, as a Thing abſolutely neceſſary to the Negotiation here.

I have not yet done my Offices upon this Writing of the *French*, but I intend to do it by Word of Mouth, not only in Regard of the Rule, but in that the Writing (as you will ſee by the Copy that goes herewith) hath ſome Words of the *Dane* and the *Brandenburgher*, that might well have been ſpared.

M. *Colbert* told me, when he and his Collegue delivered me this Writing laſt Night, that if there were any Ceſſation, it would not be above 3 Weeks at moſt; and therefore that a Motion I made them in Behalf of his Highneſs the Prince Elector *Palatine*, (which was, to remove the *French* Troops out of his Eſtates during the Ceſſation) could not be conſented to; for he thought, that neither Side will ſtir their Troops for ſo ſhort a while, out of the Places where they ſhall happen to be when the Ceſſation comes to them; however, the Ambaſſador promiſed to write to Court in the Elector's Behalf, and ſo likewiſe for an old Debt, I moved them for their Offices in, towards their Court.

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The Elector demanding about 600000 Livers, as lent in 1603 and 1608, and 20000 Crowns Arrears of Subſides, upon a Treaty of Alliance in 1657; by their Undertaking more readily than ordinary to do their Offices upon theſe two Points, and by their telling me, that Monſieur and Madame would ſpeak, and be very well heard upon them, I gueſs the Intereſts of his Electoral Highneſs are in that Court at this Time more conſidered, than when I paſt the like Offices with them heretofore. But when I moved them, the *French* Ambaſſadors, in Behalf of the Duke of *Newburgh*, for the withdrawing of the *French* Troops out of *Juliers* upon this Ground; that the Duke hath now declared his accepting of the *French* Conditions of *April* laſt, and hath by his Miniſter here demanded his Incluſion in the Treaty of *Holland* with *France*, they would not underſtand he was to be included, till he had given in his Conditions, and that *France* ſhould agree them.

THUS they anſwered me on *Saturday*, and yeſterday too; that M. *de Haren*, who returned hither on *Thurſday* Night, told me this Morning, that he hath Orderrs from his Maſters (M. *Beverning* being gone on *Friday* Morning to his Houſe in *Holland*) to reclaim the Duke of *Newburgh* as their Ally, and as ſuch received by them into the Incluſion. To that Effect, he was pleaſed to ſhew me this Morning a Declaration he had drawn up, for the taking in of as many of their Allies as had accepted of the Peace.

IN this Minute was named not only the Duke of *Newburgh*, but the Emperor and the Empire; and he told me, the *Imperialiſts* were reſolved to lay hold of this Occaſion, and to declare to him ſome Time this Day, their accepting (in the Name and Behalf of the Emperor and the Empire) the Conditions of *France*, and to demand of him conſequently an Incluſion for the Emperor and the Empire in the Treaty of *Holland*, by Virtue of the 19*th* Article: But I came now from a Conference with the *Imperialiſts* upon the abovementioned Memorial of the *French*, as alſo about the excuſing of his Electoral Highneſs *Palatine* from Winter Quarters, and they were not pleaſed to let me know that they intended to lay Hold of this Incluſion, nor to ſtrive to get in at this Time.

M. *Blaſpiel* was with me at 11, to give me in a Memorial of his, pretending to have the Duke and Dutchy of *Cleves* comprehended in this Incluſion, and to deſire his Majeſty's Support in it; and to tell me withal, if the Ceſſation had been agreed, and that *Stralſund* ſhould have been rendred by it to the *Swede* again, the Elector would have rendred it, (tho' the Ambaſſadors had no Orders to conſent) out of the deep Regard he hath to his Majeſty's having cauſed the Ceſſation to be propoſed in his Name. Incloſed goes a Paper he gave me, whereby it appears, that *Stralſund* is by this Time in the Elector's Hands.

M. *de Haren* told me of very private Orders he hath from his Maſters, to demand a Month longer of the *French* Ambaſſadors for the Exchange of the *Spaniſh* Ratifications, and that this Demand had very much alarm'd them; their Anſwer to him, and to me, was, that they would make no Difficulty to exchange upon Pretence that the Time is lapſed, provided they have no Orders in the mean while to the contrary, but that they would not agree aforehand to prolong the Term. M. *de los Balbaſes* being come to Town laſt Night, and aſſuring every Body that the Ratifications will be here in a very few Days, hath mitigated much of the Pain that the *Dutch* (eſpecially) were in, about their Ratifications.

IF the *Dutch* can make good their Incluſion, as they now pretend it, we ſhall be in Poſſeſſion of a Peace in the Empire, before we are

aware

aware of it, and in that Caſe a Ceſſation would be very proper, for the only Matter then in Deliberation would be (beſides the fixing of the Alternative) how to bring the Allies in the *North* to reſtore *Sweden*; and if it could not be by fair Means, how to order the Paſſages and other Means, for the recovering of what belongs to that Crown by Force, as in other Caſes, where ſuch a fundamental Law as the *Weſtphalian* Treaties are come to be violated.

JUST as I am ſigning this Diſpatch, the *Lorain* Miniſter comes to me, to declare, that he accepts of the Alternative propoſed by *France* in *April*, this being the laſt Day, (for the 6 Weeks, ſince the Exchange of the Ratifications between *France* and *Holland*, will expire to Morrow) he would willingly lay hold of the Advantage too. I am, *&c.*

L. Jenkins.

Nimeguen, 24*th Octob.* 1678.

Right Honourable SIR,

I Have ſince my laſt, which was of the 21*ſt* Current, the Favour of one from you of the 14*th* from *Newmarket* to acknowledge, as I do with all humble Thanks. You will have received in that laſt of mine, a Memorial of the *French* Ambaſſadors dated the 30*th* of *October*, *N. S.* which they had given in to me by way of Anſwer to a Memorial of the *Imperialiſts*, bearing Date juſt the Day before.

YESTERDAY in the Evening, they, the *French* Ambaſſadors, having deſired a Conference with me, came to tell me, that by all they were able to gather from the *Demarches* the *Imperialiſts* now make, there was Reaſon to believe they were ſincere in the Deſires they expreſſed for a Peace; that the laſt Memorial they, the *French*, had given in, had wrought no ill Effect upon them; and leaſt the *Imperialiſts* ſhould fancy to themſelves, from ſome Words of that Memorial, (which they confeſſed to be ſomewhat general) that there are harder Conditions intended by it, than *France* really means, they were therefore come to explain themſelves what it is they pretend to be performed by the Emperor, by way of Condition on his Part, when he ſhall engage himſelf to re-eſtabliſh the Treaties of *Weſtphalia* in all their Points. His Part therefore ſhall be no more then,

1. NOT to aſſiſt the Enemies of the Crown of *Sweden* either directly or indirectly.

2. NOT to give them any Quarters within the Empire; what they ſhall take in their own Countries, 'tis not pretended the Emperor (they ſaid) ſhould hinder.

3. THAT the Emperor call back his Troops, that are at this Time imployed againſt *Sweden*.

4. THAT *France* be left ſtill in its entire Liberty to ſuccour all its Allies.

5. THAT the Duke of *Gottorp*, and the Houſe of *Furſtemburgh*, be reſtored, as is already demanded.

6. THAT for the particular Satisfaction of *France*, the Town of *Friburgh*, and the *Comté* belonging unto it, are to remain to *France*; they did not yet know, they ſaid, the Extent of that *Comté*, but they deſiſted from demanding the whole *Briſgaw*; and they left *Philipsburgh* to the Emperor, not inſiſting it ſhould be razed.

That as ſoon as ever theſe Conditions are agreed to by the *Imperialiſts*, they, the *French*, will immediately conſent to a ſhort Ceſſation of Arms of about 20 Days; and the only Condition of that Ceſſation ſhall be, that all Armies and Forces on both Sides ſhall remain in the Places they are then poſſeſſed of.

THIS

THIS they deſired me not to paſs any Office upon, nor to ſpeak of, till the *Imperialiſts* came to me, which, they told me, would be ſome time this Day, with their Anſwer upon the *French* Memorial; and then, in caſe I found them to doubt of the general Terms in the *French* Memorial, I ſhould let them ſee what Eaſe they are ready to give them, for the Sake of the Peace.

M. *de los Balbaſes* told me 24 Hours before, that the *French* were come to this Temperament about *Friburgh*, that the *Imperialiſts* would accept of it; and he and M. *Haren*, who came to my Houſe laſt Night, as ſoon as the *French* were gone, ſeemed to wonder very much that the *Imperialiſts* did loſe one Minute of Time to cloſe, and declare themſelves that they accept the Alternative of *Philipsburgh* as 'tis now explained. M. *de los Balbaſes* is thought to be ſpecially concerned to bring the *Imperialiſts* to a ſudden Cloſe, that he may thereby put an End to the Peace of *Spain*; for he is thought to have at this Time the Ratifications in his own Hands, and that he ſtays only to ſee the Peace of the Emperor made up, or at leaſt agreed in the groſs, before he do exchange them; to the End, that the Neutrality ſtipulated from him may give the leſs Offence to the Emperor: This M. *de Haren* told me laſt Night, that M. *Colbert* is not only perſwaded, but ſays, is certain, that M. *de los Balbaſes* hath the Powers in his Coffer at this Time; and this the *French* Ambaſſadors knew, by the Intelligence they have out of *Madrid*. Yet M. *de los Balbaſes* was with me laſt Night, and with M. *Haren* this Morning, to acquaint us, he had received Letters of the *16th* of *October*, *N. S.* from his King; that the Ratifications ſhould come with the firſt Convenience poſſible; and that which hindered the ſending of them was, partly becauſe moſt of the Counſellors were out of the Way when the Treaty was to be conſulted upon; and partly, the falling ill of the Gentleman, that ſhould have carried the Treaty back again hither; there being no other to be imployed, ſince his Name was in the Paſſport: But the Marquiſs, to my ſeeming, ſpoke of theſe two Incidents ſo ſlightly, as if he doubted not but, notwithſtanding theſe Incidents, the Ratifications would be here in a very few Days.

ON *Friday* I received the Viſit of 4 Deputies of the *Hanſe* Towns, whereof the firſt was from *Lubeck*, the two next from *Bremen*, and the laſt from *Hamburgh*; but I ſatisfied myſelf in ſpeaking aforehand with the *Lubeck* Man, who had been with me in virtue of his firſt Commiſſion from *Lubeck* upon ſeveral Occaſions; *1ſt*, That the Towns of *Lubeck*, *Bremen*, and *Hamburgh*, have by an ancient Preſcription the Direction of the Affairs of the *Hanſe* Towns, and have been uſed to depute their own Members, to act, not from themſelves alone, but for the *Hanſe* Towns their Aſſociates alſo. This, beſides the Averment of this *Lubeck* Miniſter, appears evidently enough by the Powers and the Ratifications on the Part of the *Hanſe* Towns, that are Printed with the Treaty they made with *France*, *May* 10. 1655. for thus they begin: *Nos Conſules & Senatores Civitatum* Lubecæ, Bremæ, & Hamburgi, *notum facimus quod Noſtro Reliquarumq; Civitatum* Hanſeaticarum *nomine ad Sereniſſimum* Ludovicum XIII. *ex corpore Noſtro deputavimus & eleginus Legatos N. N.* who are two Secretaries of *Hamburgh* only. In the Ratification it is the ſame, with a — *poſtquam Sereniſſimo* Ludovico XIII. *cum fœderatis* Hanſæ *Civitatibus earumq; nomine ſpecialiter ad id deputatis N. N.* (the two *Hamburghers*) *tractationem quandam inſtituere, idcirco Nos præfati Senatores & Conſules noſtro Sociarumq; Civitatum nomine rati habemus.*

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THE Power of theſe Men, which goes along, (and the Letter to me) you will find to run *conjunctim & diviſim* in the ſame Stile; the two other Points I had to be ſatisfied in from him were, that they had laid aſide their particular Commiſſions, and were to act by this Deputation, and no other; and alſo that they gave me the firſt Viſit in that Quality.

BEING gone thus far, the *Imperial* Ambaſſadors are pleaſed to come to a Conference with me upon the laſt Memorial of the *French*, which laſted me two Hours. What they ſaid was,

1. THAT they will yield *Friburgh* with their Appurtenances, which, they ſay, are but 3 Villages; but they will have the High-way, as now it is, to be a ſufficient Paſſage to *Briſack*, without aſſigning a new Way on Purpoſe and in Sovereignty: Beſides, they would reſerve to themſelves a Liberty to give an Equivalent for *Friburgh*.

2. THEY are content all ſhould be reduced to the Terms of the Peace of *Weſtphalia*, but where it ſhall be otherwiſe provided by this Treaty; and they'll engage to do their beſt Endeavours, jointly with the *French*, to bring the Parties in the *North* to a Peace upon reaſonable Terms.

3. THEY will not refuſe to agree to an Article that ſhall be reciprocal, *for not aiding one another's Enemies*; provided it be pen'd in ſuch Manner, that there be nothing in it contrary to the Dignity of the Office, or the Safety of the Emperor.

4. THAT the Emperor, of his uſual Clemency, hath already reſolved, that the Buſineſs of the Houſe of *Furſtemburgh* ſhall beget no Delay, provided they make the Submiſſion that is ſuitable to his *Imperial* Majeſty.

5. THAT they conſent to a Ceſſation, upon the Terms that are already in a Manner agreed on, and according to the preſent State of Affairs; the 3*d* Article of that Project, which relates to the Quartering of Armies, being to be left out.

THIS is the Sum of what they had to communicate to me, wherein there is nothing to my ſeeming, but may be reconciled (with ſome little Temperaments) to the Pretenſions of the *French*: But when I put them to it, to know what they would ſay to that Demand of the *French*, whereby they pretend to be at Liberty, notwithſtanding this Peace, to aſſiſt their Allies; they ſeemed to be unreſolved what to anſwer. All they ſaid was, that if the *French* meant to paſs their Forces through the Empire, it could not in that caſe be called a Peace; but that there were other Ways of aſſiſting the *Swedes*; and unleſs thoſe were taken, and the Empire left to its Repoſe, it would be a vain Thing to enter into the Name of a Peace, and remain ſtill in the State of War.

WHAT the *French* will ſay to this, I ſhall not be able to tell you by this Ordinary, nor to add any more, but that I am, *&c.*

L. Jenkins.

Nimeguen, 28th Octob. 1678.

Right Honourable SIR,

I Gave you in my laſt of the 24*th* Current, (ſince which I have the Favour of one from you of the 18*th* to acknowledge) an Account of what the *Imperial* Ambaſſadors had anſwered that Day, to a Memorial that the *French* Ambaſſadors had given in the *Sunday* before.

WHEN I made my Report of that Anſwer (as I did the ſame Evening) to the *French*, they replied,

1. THAT they could not deſiſt from demanding *le Comté de Friburgh*; the Villages that were offered them, as all that depended at this Time

upon *Friburgh*, being not a ſufficient Dependance for ſuch a Town, they would be content to refer themſelves to the Records of the Place, and pretend to no larger Territory than ſuch as ſhall be found to have belonged to it within the Compaſs of 30 Years laſt paſt.

2. THAT they perſiſted to demand a High-way from *Friburgh* to *Briſack*, to be aſſigned to *France* in Sovereignty; which they ſaid would be but a ſmall Matter, (not above an Hour's going) conſidering how far the Territory of *Friburgh* is intended to reach on the one Side, and how far that Ground which is already annexed to *Briſack* reaches on the other Side.

3. THAT it is not they, the *French*, that firſt propoſed the Ceſſation, mentioned by the *Imperialiſts*, nor demanded the ſhort Term of 3 Weeks; but that the one and the other having been propoſed by the *Imperialiſts*, they did not refuſe their Conſent to it, provided the other Conditions ſhould be firſt agreed.

4. THAT for the Princes of *Furſtemburgh*, they might if they pleaſed expreſs the Reſpect they owed to the Emperor, and deſire to enter into his good Graces; but they, the *French*, could not conſent to any Expreſſion, that ſhould imply either of thoſe Princes to have been in Fault.

5. THAT in order to come to a Point, the *Imperial* Ambaſſadors ſhould do well to draw up that Article themſelves, that they were content to concur in, againſt *aſſiſting the Enemies the one of the other*, to the End the Conditions may at laſt be diſtinctly known that the *French* do demand, and the *Imperialiſts* are willing to conſent to, for the reſtoring of *Sweden*.

TO this Effect was the Reply of the *French* Ambaſſadors, it was by Word of Mouth only, and they were very calm in it; I do not find there hath any Thing paſs'd (ſaving with the Auditor) between the Parties ſince. M. *Stradtſman* attributes it (as M. *Haren* told me laſt Night) to the *French*, that either expect further Orders from their Court, or elſe better Informations about the pretended *Comté* of *Friburgh*; I ſay pretended, for the *Imperialiſts* pretend there is no ſuch *Comté*. M. *Colbert*, on the other Side, told me laſt Night, he wondered very much the *Imperialiſts* ſtood upon ſuch trifling Things, as the Dependencies and the High-way of *Friburgh*, and did not come to ſome Reſolution (the preſent Conjuncture conſidered); but if I underſtood him rightly, he looks upon the Peace as infallible.

YET I cannot comprehend how the Emperor can make it for himſelf and the Empire, and in it agree to the Liberty the *French* demand of marching and countermarching through the Empire, for the Relief of *Sweden*; unleſs it be that the Emperor reckons, that the Elector of *Brandenburgh*, the Biſhop of *Munſter*, and the Houſe of *Brunſwick*, will come to any Peace, rather than incur the Hatred of ſo many Princes that muſt be undone, while they defend their Conqueſts; or elſe the *Swedes* would be content with ſuch Aſſiſtance as *France* would afford them by Sea, or with Money, without paſſing their Forces thro' any Part of the Empire.

BUT M. *d'Eſtrades* expreſſed himſelf laſt Night, as if they did not intend to baulk or ſpare the Empire; and gave that for a Reaſon, why *France* could not conſent to the Incluſion of the Duke of *Newburgh*, and other Princes, by the *Hollanders*, in virtue of the *19th* Article of their Treaty with *France*; for that they muſt neceſſarily paſs through their Countries to the Succour of *Sweden*, tho' that be not the only Way they intend to take; for *France* hath now, he ſays, in the Ports of *Bretagne*, and thereabouts, 40 Men of War, and 20 Fireſhips, that are to go

go in the Spring, as ſoon as the Weather is open, to joyn the *Swede* in the *Zoundt*. What he will come to, I know not; but M. *Schutz*, the *Lunenburgh* Miniſter, told me laſt Night, that the Elector of *Brandenburgh* is labouring at this Time what he can, to bring in the Duke of *Zell* and *Wolfenbuttle*, and the Biſhop of *Munſter*, into the Treaty agreed between him and the King of *Denmark*; and M. *Schutz* thinks, that the Duke his Maſter will give into it, if the Biſhop of *Munſter* can be brought over, and in that Caſe they'll make a tuff Reſiſtance before they'll yield their Conqueſts.

YET thoſe Allies are ſeldom without ſome Differences or other between them, the Elector having capitulated with *Coningſmark*, that he may carry his Garriſon into *Schoonen*, *Germans* and all; nay, that if any of his *Germans*, in Virtue of the Emperor's Avocatory Letters, offer to leave him, he might reſtrain and puniſh them as Deſerters; the King of *Sweden* is herewith very highly offended, and will do what he can to ſtop the Paſſage accorded them by the Elector. M. *Schutz* ſeems to apprehend that this may work a great Diſconcert among the *Northern* Allies. But all this while we have not one Word of the Ratifications from *Spain*. I told you in my laſt, how M. *Colbert* was more than confident, they were already come, and lodged in M. *Balbaſes* Hands; yet they deny it very ſeriouſly, and the *Imperialiſts* ſeem to know nothing of it; for, ſay they, if the Marquiſs did forbear to proceed to the exchanging of them, in Conſideration of the Emperor, he would not omit, upon ſuch an Occaſion, to acquaint us with what he does, and the Reaſon of his ſo doing. However, there is no doubt made here, but that the *French* march'd yeſterday out of *Maeſtricht*.

WHAT is done further about the Incluſion of the Duke of *Newburgh*, and others at the *Hague*, does not yet appear. M. *de Haren* hath had Orders to declare, that the States General did take in that Duke, and ſeveral others of their Allies, into the Incluſion; but 'tis thought requiſite here, over and above what their Ambaſſadors do, they ſhould give an Act in Form to each Party, to let the World ſee, that he is taken in.

THE Cities of *Cologn* and *Bremen* labour to get in at that Door; but M. *de Haren* anſwers them, that thoſe Cities being in no Alliance with thoſe States, being in War with *France*, and as they are Members of the Empire, they cannot be taken in neither upon the firſt, nor yet upon the ſecond Branch of the *19th* Article abovementioned. Yet the States have given M. *de Haren* Orders to compriſe the City of *Lubeck*, if it can be done in any wiſe; and have refuſed their Offices to *Hamburgh*, becauſe of the Difference the States have at this Time with that City, about the deceaſed General *Wurtz*'s Eſtate.

M. *de Haren* told me, that the Effect of his Meeting on *Thurſday* with the *Swediſh* Ambaſſadors, was to go over the minute of their Treaties, where there were five Difficulties, that he was able to do no more upon, but to note them, and to acquaint the States with them, as now they lie in the Minute.

'TIS ſaid M. *Meinders* hath been very lately with the *Swediſh* Ambaſſadors, and hath had ſome Communication with them, that hath ſince obliged him to take a Journey to the *Hague*; yet upon my asking the *Swediſh* Ambaſſadors, what good Account they would pleaſe to furniſh me with, to be imparted to his Majeſty, of the Forwardneſs of their Peace; they anſwered me coldly enough, that Things were ſtill in the ſame State, and that their longing was for a General Peace, *&c.*

The Buſineſs I went to them upon was, to offer them the Powers of the Miniſters of the Dukes of *Zell*, *Oſnaburgh*, and *Wolfenbuttle*, and to deſire them to furniſh ſpecial Powers, by Way of Exchange, to treat with thoſe Miniſters. But the *Swediſh* Ambaſſadors alledged, they ought to furniſh no more ſpecial Powers but thoſe five they had furniſhed two Years ago; and that theſe Miniſters ſhould range themſelves under the *Imperial* Ambaſſadors, and make their Treaty a Part of the Emperor's; but theſe Miniſters will by no Means underſtand this Way of Treating; their Maſters entred, they ſay, and carried on this War upon their own Charges; the Conqueſts they have made, are made in their own Right, and they pretend to have ſpecial Powers produced to treat with them as Parties Principal, and not as Auxilliaries to the Emperor: All that the *Swediſh* Ambaſſadors promiſed me, upon this Repreſentation that I made them, was, that they will write to their King, when they have a Way opened for them.

And as the Courier they ſent about 6 Weeks ago is not yet return'd, ſo the Way they pretend is not more open than it was; and as I am ever and anon preſſing M. *Heugh* about it, he ſhewed me on *Friday* laſt a Letter from the Chancellor of *Denmark*, whereby he cautions him, as a Friend, that the Step he had made in giving his Paſſport to the Courier (he having done it, it ſeems, without any Order or Power) was not well look'd upon by the King of *Denmark*; and that he adviſed him to be wary in making ſuch a Step again.

The Refuſal that is made of all Paſſage, is cried out upon here; M. *Heugh* is content that his Allies, and my ſelf too, ſhould write him Letters, to perſwade him to do his utmoſt to get this Paſſage opened; the Letter I writ him I ſhall trouble you with by the next; but upon the main Matter of the Peace, he told me, that tho' the Emperor ſhould make his Peace this Day, and the Houſe of *Brunſwick* theirs to Morrow, and the Elector of *Brandenburgh* his the next Day, yet the King his Maſter would never think of making his upon the Terms of rendring all back again to *Sweden*.

Just as I am cloſing, the *Liege* Miniſter tells me, he is newly come from the *Hague*, where he had loſt his Labour in ſolliciting to have the *Dutch* Troops withdraw from *Haſſelt* and *Maeſyk*, he hath promiſed me a Copy of the Reſolution of the States upon that Matter, which is, it ſeems, not to quit their Poſſeſſion, notwithſtanding that *France* ſollicites them to do it. M. *d'Avaux* would have had his Miniſter procure the States, to depute towards him upon this Matter; ſhewing himſelf willing to hearken to Propoſitions for withdrawing the *French* Troops out of the Country of *Liege*, if the States would withdraw theirs; but the Penſioner told him, it was not a Thing to be expected *France* would do, and therefore the States would not be brought to make a Propoſition that was ſure to be rejected.

I take leave to incloſe the Memorial of M. *Blaſpiel* and M. *Cannon*, the firſt puts in to be included for the Dukedom of *Cleves*, and the other declares his Acceptance of the *French* Conditions, and his Option upon the Alternative.

The *French* Ambaſſadors, when I paſt my Offices with them on *Saturday* for M. *Cannon*, took ſome Exceptions at M. *Cannon*'s Memorial, as if his Option had not been expreſs enough, but that there was ſome Reſerve in it, as if he had accepted the firſt Part of the 2 *d* Alternative, but not the other; but upon a more exact Peruſal of the Words, they went off from that Scruple; but ſeemed to ſay, that if he had ſubmit-

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ted all to the King their Maſter, and made no Option of either Alternative, he had taken the better Courſe. It pities the Miniſters here very much, to ſee a Prince, that (ſtrictly ſpeaking) cannot be ſaid to have given *France* any Cauſe of Offence, put to theſe very great Streights. I am, *&c.*

L. Jenkins.

Nimeguen, 31ſt Octob. 1678.

Right Honourable Sir,

My laſt was of the 28*th* Current; I have ſince the Favour of yours of the 22*d*, for which I moſt humbly thank you.

The *Imperialiſts* and the *French* have made no more Approaches, the one to the other, that I can hear of; the Liberty that the *French* ſtand upon to ſuccour the *Swede* by the Way of the Empire, is the great Obſtacle.

M. *Cannon* and M. *Balbaſes* are my Authors for this; but M. *Heugh*, in a Converſation I had with him laſt Night, went further; he thinks, the Emperor is now as far off as ever he was, from a Peace with *France*.

The *Imperialiſts* have acknowledged to him, he ſaid, they would have made a Peace, and even left *Denmark* and the Allies of the *North* behind them in the War, had they been able to do it, even upon thoſe Terms that are offered them, but now they ſay it is not to be done.

The Electors and Princes that are now labouring to get themſelves into an Incluſion by the *Hollanders*, have been ſuppoſed by M. *Heugh*, and moſt Men elſe, to have done it againſt the Emperor's Conſent; but yeſterday the *Imperialiſts* ſatisfied him, that all was done with the Emperor's good liking and Advice too, deſigning thereby to put *France* (which means nothing leſs then a general Peace) in the wrong.

M. *Heugh* told me, he ſhould hear in a ſhort Time of an Election of a King of the *Romans* talk'd on, in Purſuance of a Deſign *France* hath ſo long had of bringing the Empire into another Houſe than that of *Auſtria*.

M. *de los Balbaſes* did yeſterday complain to me very much of the *French* Quartering in ſeveral Places in the *Low-Countries*, contrary to the Articles of Suſpenſion, and obſerved, there were great Complaints of their not keeping their Capitulations in *Aken* and other Places.

The *German* Youth *Kaus* is at laſt brought to me hither by the Care and Favour of M. *Blaſpiel*, the poor Youth looks as if he were grown mopiſh with his long Impriſonment; M. *Blaſpiel*, when he ſaw him, judged him no better; and would know of me, whether he ſhould not, upon ſuch an Occaſion, put the Fiſcal upon the Back of him that had had the poor Youth ſo long a Priſoner in his Houſe; he could not have believed, he ſaid, there was any ſuch illegal, barbarous Thing done any where under the Elector's Government. The Elector, he aſſures me, hath not yet made one Step (whatever is given out to the contrary) towards the *Swede*; and the general Declarations that the *Swedes* make of their being willing to come to a Peace with the Elector, are but Amuſements ſcattered abroad, to beget Jealouſies between the Elector and his Allies in the *North*; the Elector is willing to ſurrender conſiderably back to the *Swede* for the Peace's Sake, but he will do nothing apart from his Allies. The Ambaſſadors that are gone from *Holland* towards *France*, have an Article in their Inſtructions for to ſollicit the Neutrality of *Cleves*;

Cleves; and 'tis a Tranſcript of the very ſame Words that the *Brandenburgh* Miniſters had put in their Memorial to the States upon that Subject.

HERE is a new Miniſter come from the Dukes of *Holſtein*, inſtead of M. *Wederkop*; I was laſt Night to offer his *Plenipouvoir*, and his Propoſition to M. *Heugh*, but he refuſed them, as he had done formerly, and for the ſame Reaſons.

I ſhould have told you in my laſt, how that the Baron *de Leye*, Envoy of the Elector of *Treves*, ſent one Day laſt Week to take an Hour of me; but his Secretary ſaying very fairly at the ſame Time, he had been that Morning to viſit the *Imperialiſts*, I ſent him Word, I could not ſee him, unleſs I had new Orders from his Majeſty.

I have ſuch another Difficulty with the Baron *de Hoochkirken*, one (and the chief) of the Duke of *Newburgh*'s Miniſters; he ſaw the *Imperial* Ambaſſadors firſt; I afterwards excuſed myſelf from ſeeing him; my Commerce with M. *Caſpars* his Collegue holds good, he having brought Letters from the Duke, and negotiated with Sir *W. Temple* and myſelf, near two Years ago; but the firſt Powers that theſe two brought about two Months ago, proving not to be right in the Form, they were forced to ſend for others, which are now come to Hand. M. *de Hoochkirken* would have begun his Viſit with me upon theſe new Powers, pretending that he and his Collegue were here before but as Deputies from the Country of *Juliers*, to ſollicit the ſaving it from the burning that the *French* uſed in their Country; but I have excuſed myſelf till further Orders.

M. *Stradtſman* was pleaſed to come and tell me now at 11, that for the Dependencies of *Friburgh*, they would let the *French* have them, as they will appear by the Records of the Place to have been theſe ten Years laſt paſt. But his Aim was, as far as I can gueſs, to let me ſee, that he and his Collegues have Cauſe to believe, that the *French* have not a Mind to the Peace; that unleſs *Sweden* do get out of the Briars by a ſudden Peace, it may be made the *Dupe*, and *France* will turn about to a new Alliance; that there are ſtrange Deſigns contriving, which may chance to break out 'ere long; that *France* will have the Skill to lay the hindering of the Peace at the Door of the *Swede*, as they have already done the retarding the Ceſſation; that the Emperor cannot poſſibly, with Regard to his Dignity and Truſt, conſent to the Liberty that the *French* demand, of having free Paſſage thro' the Empire to aſſiſt *Sweden*; and that as long as *France* inſiſts upon it, it is a ſure Sign they mean not to make the Peace; that they expect to hear what the Courier which the *French* received laſt Night will produce; however, that he thought it might not be improper, that his Majeſty ſhould have ſome Notice hence, of the little Hopes there are of the General Peace at this Time. He told me, the Ratifications are not yet come from *Spain*; that the *French* Ambaſſadors will be content, at the Inſtances that have been made them by the *Dutch*, to prolong the Term for the exchanging them till the 20*th* of *November*, *N. S.* that his Collegues and he ſhall have Orders to come and acquaint me, that the Emperor will do any Thing by way of Guaranty, that his Majeſty ſhall think conducing to eſtabliſh the Peace when it is made. I am, *&c.*

L. Jenkins.

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Nimeguen, 4th Nov. 1678.

Right Honourable SIR,

SINCE my laſt, which was of *Thurſday* the 31*ſt* paſt, I have not the Favour of any from you to acknowledge; nor can I find that any Thing hath paſs'd ſince between the *French* and the *Imperialiſts* relating to their Peace.

ON that Day, after the Poſt was gone, the *Swediſh* Ambaſſadors brought me the Memorial incloſed, to be handed to the *Imperialiſts*. In it you will find they value themſelves for not having urged *France* to detain the Places it was once reſolved to keep in the *Netherlands* till *Sweden* was ſatisfied. They lay hold of the Acceptation the *Imperialiſts* made of the *French* Conditions, wherein the Reſtitution of *Sweden* is, as they alledge, tacitly implied. They ask of the *Imperialiſts*, a more particular and expreſs Explication of their accepting, ſo as to take in the Concerns of *Sweden*; and (to induce them to it) they themſelves explain,

1. WHAT they mean by the Reſtitution of *Sweden* deſir'd by them.

2. IN what Manner they conceive it may be done.

TO the firſt, they pretend that the *Weſtphalia* Treaties be re-eſtabliſhed entirely; and then the reſtoring of *Sweden* to all Things it was poſſeſſed of before this War began, will neceſſarily follow.

FOR the other Point, which is, the Manner they conceive this Reſtitution may be brought about. 1. They deſire that the Emperor would, in his own Name and the Empire's, make a Peace with *Sweden*; and then all the Princes of the Empire that will enter into the Peace, may be in Repoſe, and have the full Benefit of it. 2. That thoſe Princes of the Empire that ſhall ſtand out, and not imbrace this Peace, may not only be expoſed to the War that *Sweden* ſhall make upon them by Sea and Land, but alſo that the Emperor and Empire ſhall give them no Manner of Aid or Succour, particularly no Winter Quarters, nor Paſſage thro' the Country of any Prince of the Empire. 3. That it may be free for *Sweden* (being by this new Treaty to be reſtored to all the Rights it was veſted in by the *Weſtphalia* Treaties) to uſe all Manner of Means that ſhall be conformable to thoſe Treaties, to recover their Rights, and particularly thoſe Countries that are taken from it. 4. That it may be free for *France*, and for any other State of the Empire (that will) to aſſiſt *Sweden* with ſuch Forces as they ſhall think fit to imploy, whether by Sea or Land. 5. (which is the great Point of all) That there may be a free Entrance, and an open Paſſage through the Empire, to thoſe Forces that ſhall come in as Auxilliaries to *Sweden*; but without doing any Damage, nay, you will find it added, without Danger to any one that ſhall be in Peace.

I paſs'd my Offices upon this Memorial with the *Imperialiſts*, as ſoon as they gave me an Hour to do it in on *Friday*; all they anſwered was, to take Time to conſider of it, and I have not heard from them ſince; yet I found, by other little Notices I had, that they knew of this Memorial before me. I note this, that you may pleaſe to obſerve, that Offices of this kind are made uſe of only for Form Sake.

THIS Paſſage, I perceive by the Diſcourſes of the Allies and others, is like to be the only Knot between the *Swedes* and the *Imperialiſts*, as it was between theſe laſt and the *French*; and I do not find any here (not

(not the *Spaniſh* Ambaſſadors themſelves) that pretend to foreſee an Expedient how to get clear of this Difficulty.

In the mean while, the States General (as M. *Haren* told me on *Saturday*) have reſolved the Incluſion of the Emperor and the Empire too, in virtue of the 19*th* Article of their Treaty with *France*, provided the Emperor will ſtand to any Conditions his Miniſters may have offered the *French* here, tho' it ſhould be more advantageous to *France*, than the Conditions propoſed by *France* in *April* laſt. What this Proviſo means, M. *Haren* ſeems not to comprehend fully, and I much leſs; but he hath Orders from the States to declare this Incluſion, firſt to the *Imperialiſts*, as having deſired it, and then to the *French*, as being obliged to admit it.

The Ratifications are not yet come, but M. *de los Balbaſes* ſtill aſſures me they will be here in a ſhort Time; that which is remarkable is, that M. *Colbert* told M. *Haren* on *Saturday*, that they, the *French* Ambaſſadors, are, and will be at Liberty to exchange the Ratifications till the laſt Day of this Month of *November*, *N. S.*

M. *Haren* was out of Town *Thurſday* and *Friday*, as far as *Emmeric*, to viſit the Prince of *Naſſau*, Stadtholder of *Friezland*, who is fallen ſick there of a Fever, which is now turned to an Ague; he went thither in Hopes to overtake the Princeſs his Mother, and the Dutcheſs of *Zymmeren*, who were gone for *Cologn* before he came.

Here is a Story brought from the *Hague*, (I have it from a Publick Miniſter there) as if the City of *Amſterdam* had ordered the Ambaſſadors, who are now going for *France*, to be inſtructed to tell the Moſt Chriſtian King, that they cannot but take Notice of the Intrigues that *France* endeavours to drive on in this Country, and that they do not underſtand that to be the right Way of maintaining the Friendſhip now knit between them. Some think this relates principally to the Match, ſaid to be going on between the Stadtholder of *Friezland*, and the Prince of *Jarantas* Daughter, which the *Vienna* Prints ſaid, is Treated here between M. *d'Eſtrades* and M. *Haren*.

I take Leave to incloſe a Memorial that the *Brandenburgh* Ambaſſador ſent me, whereby he purges himſelf of the Imputations that the *French* Ambaſſadors, in a Memorial of theirs of the 30*th* paſt, *N. S.* charge him with, as if he had hindered the Ceſſation all that lay in him, in Conjunction with the Ambaſſador of *Denmark*.

That Memorial of the *French* was addreſſed to the *Imperialiſts*; I left out that whole Clauſe, as you may obſerve it ſcored in the Copy I ſent you; but it happening not to be left out in that Copy which the Nuncio gave the *Imperialiſts*, M. *Heugh* and *Blaſpiel* came to the Knowledge of it, by Communication from the *Imperialiſts*, and M. *Heugh* is meditating ſuch another, to vindicate himſelf. I am, *&c.*

L. Jenkins.

Nimeguen, 5th Nov. 1678.

Right Honourable Sir,

Having a particular Occaſion at this Time to ſend over this Bearer, I chooſe to charge him, rather than the next Ordinary, with what I ſhould have added to the Diſpatch of yeſterday, but that it came to my Knowledge too late to be writ by the Poſt of the Day.

M. *d'Olizenkrantz* giving me the Favour of a Viſit yeſterday, after my Diſpatch was finiſhed, entered into a Converſation of ſome Length touching

touching the Peace of the *North*. He told me, the Hint I had given him and his Collegue, when they brought me their laſt Memorial, was not a Thing that could be done on their Part: That which I had told them was, that their yielding of ſome Places to the Elector of *Brandenburgh*, and to the King of *Denmark*, would, according to the general Opinion here, bring thoſe Princes to give in to a Peace outright; and conſequently put that great and difficult Queſtion out of Doors, that lies now between the Emperor and *France*, about a free Paſſage for the Troops of *France* thro' the Empire.

He told me, that *Sweden* would never enter into any Expedient, that ſhould oblige them to part with one Foot of their Land, or with the leaſt of their Places; that they would rather loſe all they have in *Germany*, and run the utmoſt Riſque, than do it; however, he would acquaint me, he ſaid, with an Expedient they were willing to come to, but with the utmoſt Injunction of Secrecy, with a Deſire I would in all Humility lay the Thing before his Majeſty, in Hopes that he would be pleaſed, when he knows it, to afford the King of *Sweden* the Countenance of his Authority and Furtherance with the Elector of *Brandenburgh*, in order to bring him to acquieſce in it. It is this: They are reſolved, he ſays, to part with a Sum of Money, to content the Elector of *Brandenburgh*, but they do not offer it themſelves, nor is the Sum determined; they have left the Propoſition wholly to be managed by *France*, only they will acquieſce as to the Sum and the Payment, in the Iſſue that *France* ſhall be able to give to this Affair. But they will never hear of quitting any of their Places, not of parting with *Stetin* moſt eſpecially; and in this they hope to have the Favour, not only of his Majeſty's Judgment, but alſo of his Support, becauſe of the Intereſt that this Crown hath in ſuch a Change. The Elector, ſaith M. *d'Olivenkrantz*, hath it in his Thoughts, to ſet up a Force by Sea; and to that End hath *Stetin* in his Eye, as a Place that would be extreamly convenient for him; but his growing great by Sea, is a Thing ſo directly oppoſite to the Intereſts of *Sweden*, that they muſt reſolve to do any Thing, rather than give Opportunities or Advantages to ſuch a Deſign; ſince all the Power the Elector can arrive at will be an Acceſſion to that of *Denmark*, and both will but add to the Greatneſs of *Holland*, ſince *Holland* will have the Diſpoſal of both.

This, M. *d'Olivenkrantz* ſuppoſeth, will give his Majeſty occaſion to reflect betimes upon ſuch a Conjunction as that would be, and will therefore be pleaſed to uſe his Power with the Elector, to accept of a Sum of Money, to repair his Damages in ſome Sort; and the *Dutch*, who are under an Engagement to procure the Elector Satisfaction, will have their Deſire and Engagement fulfill'd as well by a Sum of Money, as by having Places, ſince the Manner of ſatisfying is not ſpecified.

M. *d'Olivenkrantz* went ſo far, as to tell me the Way his Majeſty might influence the Elector, by receiving of Money, rather than inſiſting to retain ſome of thoſe Places he hath got; it would be, he ſaid, done with Effect, if his Majeſty would pleaſe to deſire the Prince of *Orange* to appear in it, and to uſe his Intereſt with the Elector to perſwade him to it.

He told me further, that this Money is to be accepted, and the Thing to be agreed, without further Delay, becauſe the *Swedes* will not be long free, and at Liberty to make good this Offer, or to accept of any other; it being now certain, that their Army from *Livonia* are upon their March, 20,000 in all, and by Computation entered 'ere this into *Pruſſia*; they muſt neceſſarily take off *Poland* from the Jealouſies they may otherwiſe

have of the *Swede*, and conſequently can do no leſs than put into the Hands of the *Polanders*, all they ſhall take from the *Brandenburghers* in *Pruſſia*; therefore the Elector muſt come quickly to a Reſolution, or he will come too late. Beſides, the *Swedes*, as he told me, have ſome Aſſurance, that the Houſe of *Brunſwick*, and the Biſhop of *Munſter*, will come to an Accommodation with them; ſo that what Conjunction the Elector promiſeth to himſelf from them will fail him.

He told me further, that the Peace between *Sweden* and *Holland* is ſtill where it was; that he ſees no Forwardneſs in the States towards the concluding it; nay, he finds they ſearch after new Pretences to delay it, which if they ſhould prove to be in earneſt, they the *Swedes* too would alſo find new Difficulties to lay in the other way on their Parts; 'tis true, if the *Dutch* take the *Swedes* at the Offers they have already made, they will not go back; if otherwiſe, they will be in a Condition to join with his Majeſty in the Treaty of Commerce, and give advantageous Terms to the *Engliſh*. I am, *&c.*

L. Jenkins.

Nimeguen, 7th Nov. 1678.

Right Honourable Sir,

Having troubled you on *Monday* the 4*th* Current by the Ordinary, and the next Day by another Convenience, I have now no more but to acknowledge the Favour of yours of the 29*th* paſt, and to thank you moſt humbly for the Communication of his Majeſty's Pleaſure therein. As to the ſigning of the Peace of the Empire, whenever it goes on, I ſhall keep cloſe to the Letter of his Majeſty's Order.

On *Monday* laſt, after the Hour of the Poſt, the *Imperial* Ambaſſadors gave me the Favour of a Viſit in a Body; it was to tell me, the Emperor their Maſter was glad that his Majeſty had it ſo much (as I declared to them ſome while ſince) in his Thoughts to ſtrengthen the Peace by his Guaranty; that his Majeſty ſhould find the Emperor ready to enter with him into any Meaſures for the preſerving of the General Peace. Theſe are the Words in which M. *de Gurck* delivered himſelf, adding nothing of the Peace in Hand, nor of the Anſwer that is expected from them to the *Swediſh* Memorial.

To Morrow M. *Meinders* (as M. *Haren* tells me) is to begin his Journey for *Berlin*; M. *Colbert* told me late laſt Night, he is charged with a Proffer to the Elector of a Sum of Money, to bring off his Electoral Highneſs to a Peace, and to render all to the *Swedes* in *Pomerania*. I am, *&c.*

L. Jenkins.

Nimeguen, 11th Nov. 1678.

Right Honourable Sir,

Since my laſt, which was of the 7*th* Current, I have none from you to acknowledge, nor any Letters from that Side.

'Tis now 3 Weeks ſince there paſs'd any Thing (that I can hear of) between the *Imperialiſts* and the *French*; and this is the 11*th* ſince I delivered in a Memorial from the *Swediſh* to the *Imperial* Ambaſſadors, to which I have not as yet heard of any Anſwer. The *Brandenburgh* Ambaſſador hath indeed let himſelf into the Liſts, and dreſſed a long Memo-

Memorial by Way of Anſwer to the *Swedes*, I have a Copy of it from him, by Way of Communication only, but not to paſs any Offices upon it with the *Swedes*. I was not, I confeſs, of Opinion, that M. *Blaſpiel* ſhould have engaged himſelf this Way, but to ſtay till he was attack'd; the Reaſon he alledges is, that the *Swedes* ſcatter their Memorials, addreſſed to the *Imperialiſts*, up and down here, and all the Empire over.

One Thing he deſired me moſt humbly to lay before his Majeſty as his Sence, it is, that if his Majeſty and the States General ſhould pleaſe to form and agree of a Plan, to be propoſed for a Peace between the Parties in the *North*, the Plan would be received by all the Parties, and the Peace would infallibly be made upon it, and that quickly too.

This was his Opinion, and I find M. *Colbert* inclined to think, that a Plan for the *North* is the moſt probable Way to bring the general Peace about; but they, the *French*, dare not, he ſays, meddle in making any, ſince they muſt offer nothing that ſhall be to the Loſs or Diminution of the *Swedes*. He, as he told me on *Saturday*, hath at ſeveral Times, upon Occaſion, taken the Liberty to diſcourſe M. *d'Olivenkrantz*, what he would adviſe, if he were (not Ambaſſador of *France*, but) a *Swede* born, and to give his Opinion in the Councils of *Sweden*; he would adviſe to let go ſomething, rather than truſt to the Succeſſes of the War, ſince none can foreſee what may happen to the Succours intended them by *France*. But tho' M. *d'Olivenkrantz* be not, he ſaid, ſo much againſt all Manner of Temperament, that ſhall imply the yielding up of any Thing along with it, as his Collegue is, yet to ask *Stetin* of either of them, is as much as to ask *Stockholm* it ſelf, they will as ſoon reſolve to part with the one as the other; but the great Thing they complain of upon all Occaſions is, the Impoſſibility they are under to do any Thing, ſince they have no Liberty to correſpond with their Court.

They have, it ſeems, an odd Speculation in Regard of the *Dane*; it is, that they may eaſier part with ſomething to him for the preſent, ſince they may have an Opportunity to recover it again, for thoſe two Nations are not like to be very long without new Diſſentions and Wars between them; but if once they let go their Hold of any Thing in the Empire, they muſt make Account never to recover it again: All the Empire will be againſt them, eſpecially when they ſhall offer to diſturb a quiet Poſſeſſor.

M. *Colbert* ſays, 'tis whiſper'd, as if there were a private Treaty at this Time on Foot between the Kings of *Sweden* and *Denmark*; but M. *Heugh* abſolutely diſowns it. However, M. *Colbert* complains of the great Slowneſs in the *Swediſh* Councils, and wonders they can be ſo little moved, as they are at this Time, with their late Loſſes in *Germany*.

M. *Colbert* was very large upon the Unreaſonableneſs (as he term'd it) of the *Dutch*, in pretending to take the Emperor and the Empire into the Incluſion; and when all is ſaid, if the Article do ſignifie any Thing, it does in my poor Opinion ſufficiently ſignifie that Thing which the *Dutch* contend for, eſpecially if the Minute, upon which it was drawn, be taken in to give Light; for there it is, — *The Allies that ſhall accept the Peace, according to the* French *Conditions of* April *laſt*, and there all the high Allies are named by their Names; as to the Names, they are left out in the firſt Draught, to avoid Embarraſs in Point of Rank; and the Word *Conditions of* April were left out, becauſe it would have been a little diſadvantageous, as well as harſh, for the *Dutch* to ſuffer a Mention of the accepting of them; the *French* indeed deſired to have it ſo underſtood, as if the *Dutch* had accepted

thoſe Conditions for their Allies, as well as for themſelves; this the *Dutch* Ambaſſadors would by no Means endure to hear of, as appears in ſome of their Memorials. But M. *Colbert* ſays, the Hopes that the *Imperialiſts* have to get into the Peace at this Door, make the *Spaniards* delay all this while the Exchange of their Ratifications, that it may be ſaid, the Emperor concluded his Peace before the *Spaniards* ratified theirs; and 'twill probably, he ſays, be the ſame Thing in the Peace of the *North*, the Emperor will no ſooner have made his, but the *Northern* Parties will fall to making theirs; and it will be made and ſigned before the Time comes that the Emperor will be bound to ratifie his. But this, he ſays, is but his Conjecture, or rather his Wiſh; for his King, he ſays, deſires earneſtly to be out of the War; nor is it his Intereſts to make War upon the Empire.

M. *Termulen*, the Miniſter of the new Biſhop of *Munſter*, was to viſit me on *Thurſday* for the firſt Time; he gave me his Viſit, before he ſaw any other publick Miniſter; the Biſhop his Maſter is now, he ſays, in good Underſtanding with the Houſe of *Brunſwick*; and I perceive he would get out of the War as ſoon as poſſible; nor will he (if I gueſs not amiſs) ſtand upon detaining any of the Conqueſts, if *Sweden* come to any Compoſition with him in Money.

HERE is a Miniſter come, and was with me the ſame Day, from the Marquiſs *de Baden Dourlach*; his Buſineſs is, to demand Reparation for the Damages the *French* Armies have done his Country: An Errand, GOD wot, he hath but little Hopes to ſucceed in. I am, *&c.*

L. Jenkins.

Nimeguen, 14th Novem. 1678.

Right Honourable SIR,

I Have ſince my laſt of the *11th*, the Favour of yours of the *5th* Current to acknowledge, and humbly thank you for it.

I told you in that of the *11th*, and in ſome former ones, that I knew nothing that paſt between the *Imperialiſts* of the one Side, and the *French* and *Swedes* of the other, for the advancing of the Peace in Hand; but that Evening, after the Poſt was gone, M. *Heugh* told me, that the *Imperialiſts* had on *Saturday* the *9th* opened themſelves further by Way of the Nuncio (as he had been informed) to the *French* Ambaſſadors, and ſo by them to the *Swedes*, to this Effect;

1. THAT they will proceed to the finiſhing of their Treaty with *France*, and make a Peace likewiſe out of Hand with *Sweden*.

2. THAT there ſhall be in it a general Ceſſation of Arms, agreed to be propounded to their reſpective Allies in the *North*, for 4 Months.

3. THAT during the Ceſſation, they, the *Imperialiſts*, and the *French*, will do their Endeavours to mediate a Peace between their Allies in the *North*, and to that End, will agree of a Plan to be propounded to them.

4. THAT in Caſe the Peace cannot be made up in thoſe 4 Months, the Emperor will think himſelf at Liberty to enter into Meaſures, for the forcing ſuch of the Allies as ſhall ſtand out, to give Way to the General Peace.

M. *Blaſpiel* told me on *Tueſday*, and M. *Schutz* the *Lunenburgh* Miniſter yeſterday, the ſame Thing, with very little Variation.

M. *Heugh* and *Blaſpiel*, after the Relations they had made to me ſeverally, made it their Requeſt, that his Majeſty might be in all Humility moved by me, to think of making a Plan for the *Northern* Peace.

Peace. M. *Heugh* ſaid, the King his Maſter would have all the Regard poſſible to ſuch a Plan as his Majeſty ſhould think reaſonable, and did not much deſire that his Affairs ſhould come to be handled by two Thouſand Hands, by which he meant theſe States; he had been talk'd to at a Diſtance, he ſaid, from the *Swedes*, as if they would be content to leave *Lanſcroon* to *Denmark*, if they may have *Wiſmar* back again in lieu of it; but he hopes his Majeſty will think it reaſonable, that they keep what they have got this War, having been ſo great Loſers by the laſt.

M. *Blaſpiel*, when he deſired his Majeſty might be moved to interpoſe, intimated his Hopes it would be in Conjunction with the States; and to that End, that he was going (as he went yeſterday Morning) for the *Hague*, to ſee what the States will do for the Elector, to prevent his falling into the Hands of theſe new Mediators, as he called the *Imperialiſts* and the *French*. Peace, he ſaid, was not to be refuſed from any Hand that ſhould bring it; but his Majeſty's was the proper Hand, and from him it is, the Elector deſires to receive it; and it was a Wonder to him, why the *Imperialiſts* did not chooſe to act as Mediators, at leaſt in Conjunction with his Majeſty's Miniſter, for that it would be a very unhandſome Return to his Majeſty, for his infinite Pains and unwearied Zeal, in endeavouring the Peace of *Chriſtendom*, to intrude thus upon his Province; beſides that, his Majeſty would, if thus dealt with, have a juſt Reaſon to retain ſuch a Reſentment of the Thing, as not to enter into a Guaranty, for the preſerving of their Peace (which would be no leſs neceſſary) when it is made.

That which he cloſed with, after he had made the Reflexions upon the Emperor's dealing with the Elector; if he (who owes his Being this Day upon the *Imperial* Throne, next under God, to the Elector) ſhould now joyn with the Elector's Enemies, and take upon him to compel him to a Peace; his Cloſe was, that he hoped Sir *W. Temple* would have his Majeſty's Orders, to enter into a Concert with the States, for the drawing up of a Plan for the *North*, wherein there would be a favourable Regard had to the Elector's Intereſt.

As to the drawing of the Plan, I took leave to obſerve to him, as I had before to M. *Heugh*, that it would be requiſite his Majeſty were clearly informed, by the *Daniſh* and *Swediſh* Miniſters now at Court, of the Mind of their Maſters; and that his Majeſty ſhould penetrate the Mind of the King of *Sweden* too, in ſome Meaſure, before his Majeſty ſhould proceed to offer a Plan, otherwiſe it may prove (as we have ſeen in the like Caſes) ſo much Time and Labour loſt.

How well grounded this Belief of theirs is, that the *Imperialiſts* have opened themſelves as above to the *French* and *Swedes*, I cannot yet learn; but 'tis to me ſome Argument they have done it, in Regard they have not given any Anſwer in Form to the *Swediſh* Memorial I delivered them the 1*ſt* of this Month.

Beſides, the Mareſchal *d'Eſtrades* told me on *Tueſday*, that he and his Collegue had been ſeveral Hours that Day, and the Day before, labouring with the *Swediſh* Ambaſſadors all they could poſſibly, to bring them to a Temperament upon the main Point of *regaining* Pomerania, *by marching their Forces through the Empire*, but they had prevailed nothing upon them; nay, that they, the *Swedes*, had given them their Anſwers, or rather their Demands, in Writing; which was, that they pretended *France* ſhould reſtore them to all they have loſt in *Pomerania*; and for that End, ſhould march directly towards it, through the Empire; and his Concluſion upon it was, that the Peace is like to hang a great

great while as it does, ſince the *Swedes* will come to no Temperament about it, there he lays the Blame; I gueſs that it might be ſome new Overture from the *Imperialiſts*, that put the *French* to preſs the *Swedes* ſo cloſe; what paſs'd between them was in Writing, which is not uſual with the *French*, eſpecially between them and their Allies. Yet I am told, that he, the Mareſchal, hath lately had Letters from a Friend of his at Court, that adviſe him, that all theſe Negotiations touching the Peace of *Germany* is but an Amuſement; that the *French* Troops from all Quarters are to rendezvous 'ere long at *Nancy*; and that they will there have ſuch Orders for Action, as will put off the Peace far enough: For this M. *Heugh* is my Author.

M. *de Gurck*, on the other Side, told me on *Tueſday*, he hath at this Time better Hopes than ever of a Peace, for that as they have nothing but what is upon the Point ended between them and *France*, ſo he hath Cauſe to hope well of *Sweden*, from ſome Converſation he had had the Day before with the *Swediſh* Ambaſſadors. In the mean time, M. *Schutz* complains very much of M. *de Gurck*, that he will not let him know in what State the Peace of the Emperor is with *France* and *Sweden*, but anſwers him with Surmiſes, that his Maſters are making their Peace apart, and that they, the *Imperialiſts*, have not made one Step in theirs, but what all the World knows; ſo difficult is it to find whereabouts they are: Other of their Allies, as well as he, complaining, that they are left in the Dark. I am, *&c.*

L. Jenkins.

Nimeguen, 18*th Nov.* 1678.

Right Honourable Sir,

THE laſt I troubled you with was of the 14*th*, I have ſince the Favour of one from you of the 12*th* to acknowledge.

Being with M. *Stradtſman* laſt Night, I let him know, upon occaſion of your Letter, his Majeſty's moſt expreſs Orders to us here, repeated by the laſt Ordinary, to do all Service poſſible for the Duke of *Newburgh*, and ſhall do ſo to M. *Caſpers*, the Duke's Miniſter here, with the firſt Opportunity; but God knows it, here is no Good to be done for his Highneſs, nor for any other oppreſſed, as he is.

On *Friday* M. *Heugh* giving me the Favour of a Viſit, told me, he was commanded by the King his Maſter, to congratulate with me upon the Diſcovery that is, bleſſed be God for it, made in Part, at leaſt, of the traiterous Conſpiracy againſt his Majeſty's Sacred Perſon, and of the Deſign to overthrow the Government, and to change the Religion Eſtabliſhed; the King his Maſter hoped, he ſaid, the Diſcovery already made, and the Providence that watcheth over his Majeſty, will prevent all Tumults and Inſurrections; ſo that his Majeſty will have no need to have Recourſe to Arms: However, that the King his Maſter did offer all he hath, and namely, all the Forces he hath, or can make, and his Fleet likewiſe, to his Majeſty's Service, as ſoon as it ſhall pleaſe God to put him, the King of *Denmark*, into a Condition to imploy them otherwiſe than he is forced to do at this Time, for the neceſſary Defence of himſelf and his Crown, they ſhall be abſolutely at his Majeſty's Diſpoſal; and his Majeſty may pleaſe, if the King of *Denmark* can by any Means get out of the War, to reckon upon them as his own. I hope you'll find a Moment to lay this under his Majeſty's Notice, and favour me with your Directions what Anſwer to return to M. *Heugh*.

What

WHAT I told you in my laſt, of a new Overture that was made the 9*th* Current from the *Imperialiſts*, by way of the Nuncio, to the *French*, and by them to the *Swedes*, was true; for here goes along the Paper the *Imperialiſts* dictated to the Nuncio, or elſe to the Auditor; but all that is come to nothing, the *Swedes* not concurring in it, for that it ſuppoſes a Suſpenſion of 4 Months, which is not for their Turn now their *Liefland* Army is upon its March; and for that it leaves them altogether at an Uncertainty, what the Emperor and *France* will do for *Sweden*, by way of compelling the Allies to Reſtitution, in caſe the Peace cannot be brought by fair Means during the Suſpenſion propoſed.

THO' the *Swedes* did ſtand off, the *French*, on the other Side, go on in perfecting their Peace with the *Imperialiſts*; for M. *Stradtſman* (in ſpecial Confidence) ſhewed me laſt Night a Body of Articles, wherein all the Buſineſs between the Empire and *France* is ſettled, wherein alſo the Intereſt of *Lorain* is comprehended, (but in ſuch a Manner, that 'tis thought the Duke cannot conſent to it) nor are the Princes of *Furſtemburgh*, and the Dukes of *Savoy* and *Gottorp* forgotten. The Articles are given in to the *Imperialiſts* beforehand, not by the Nuncio, but by way of private Commerce between the *French* and the *Imperialiſts*; M. *Stradtſman* thinks they will be put into my Hands within a Day or two, to paſs my Offices upon them in Form towards the *Imperialiſts*.

M. *Colbert* told me on *Saturday*, that he and his Collegue had agreed all to the *Imperialiſts* as themſelves had deſired it, and that they intended to draw up the Treaty in Heads, and to let it lie ready adjuſted in the Mediator's Hands, till they could bring about the Buſineſs of *Sweden*; then he asked me, in the Mareſchal's Name, he ſaid, as well as his own, whether my Orders left it free to me to do my Offices, in order to the putting a Concluſion to the Peace between the Emperor and *France*: My Anſwer was, that his Majeſty's Care and Zeal had been always for a General Peace, and our Orders were, to do all Offices towards it, and this between the Empire and *France* being not only a very great Part of the General Peace, but they alſo that Treat it agreeing in it upon particular Means to bring in the *North* (which will make it General) I ſhould be ready to do them all Service in my Function; and that I hoped Sir *W. Temple* would be here to aſſiſt, at leaſtwiſe at the Solemnity of the Work.

THEY, the *French*, are now gone off from that great Rock, of a *Free Paſſage* through the Empire, deſiring now no more but *la liberté de faire la guerre aux Enemies de la* Suede, without ſpecifying how or which Way; and in the mean while, the Emperor probably is to underſtand how they intend to make uſe of that Liberty, without Prejudice to the Empire.

M. *Stradtſman* did not tell me, they the *Imperialiſts* concurred fully to this Project of the *French* laſt put into their Hands; he ſaid, the hardeſt Buſineſs of Digeſtion would be that of *Lorain*, for they take from that Duke no leſs than 50 Leagues of his Country, and a League in Breadth, for High-ways; beſides, they muſt have *Nancy*, with a Liberty of taking as much Territory about it as *France* ſhall think fit; *France* giving the Equivalent to enlarge the Territory of *Toul*.

THUS Affairs ſtand at this Time between the *Imperialiſts* and *French* Ambaſſadors; the *Swedes* ſeeing this, and the Time for exchanging the Ratifications with *Spain* ſo near at Hand, they brought me on *Saturday* Night a Project of 6 Articles only, for a Peace between them and the *Imperialiſts*, and deſired me not to give it in Form, but to ſee what ſome one of them would ſay upon it, to the End that being informed of the

Rubs

Rubs moſt likely to lie in their Way, they might alter their Project as far as their Intereſts and Orders would permit.

I had a Conference laſt Night with M. *Stradtſman* upon that whole Matter, who told me plainly, the Emperor would never be brought to an expreſs Reſtitution of the *Weſtphalian* Treaties in all Points, much leſs would he declare *Sweden* to be reſtored to all it hath a Title too by thoſe Treaties. All that the Emperor can poſſibly do, will be, 1. To make a preſent Peace with *Sweden*. 2. To declare this Peace to be made upon the Foundation of the Peace of *Munſter*. 3. To promiſe his Offices and Endeavours, in Conjunction with his Majeſty as Mediator, and with *France*, *Holland*, or any other that will concern themſelves to make a Peace in the *North*. 4. To declare that the Treaty of *Munſter* ſhall be the Rule to be kept to in making this Peace in the *North*, except where it ſhall be neceſſary to depart from it for Peace Sake, and that by common Conſent. 5. That if Offices will not do, the Emperor will enter into Meaſures, to oblige the Parties to give Way to a General Peace.

When I reported this to the *Swediſh* Ambaſſadors, with M. *Stradtſman*'s Reaſons, why no more was to be expected from the Emperor, and that the re-eſtabliſhing of *Sweden*, was properly to be had and declared (not in this Treaty with the Emperor, but) in the Treaty and Peace to be made hereafter with thoſe that are now in Poſſeſſion of what belongs to *Sweden*; they ſeem'd to be convinced, that they would gain little or nothing in preſſing the Emperor to make a Declaration ſo diſhonourable to himſelf, ſo diſobliging to his Allies in the *North*, and yet altogether ſo ineffectual to them, as to the real reſtoring of *Sweden*; but their Misfortune was, their Orders were poſitive, not to make any Peace with the Emperor, nor ſuffer *France* to make any Peace with him, without an expreſs Article, that *Sweden* be reſtored to all the Rights that belonged to it by the *Munſter* Treaties.

Here they ſtuck laſt Night, taking Time to conſider further. In the ſeveral Converſations I have of late had with them upon this Occaſion, they expreſs a perfect Reliance upon his Majeſty's Affections for, and Care of the King their Maſter, and upon his Favour and Support at this Time in his Mediation.

M. *d'Olivenkrantz* complains ever and anon of the *French* Ambaſſadors, and of their Intrigues with the Elector of *Brandenburgh*, and the Houſe of *Brunſwick*; and he thinks it ſtrange, that M. *Barillon* ſhould write to the *French* Ambaſſadors here, that his Majeſty expects to hear that *Sweden* is willing to part with ſomething to the Allies for the Peace Sake; believing his Majeſty is for the entire Reſtitution of *Sweden*.

In this Converſation, he repeated what he had hinted to me, as you'll find by my Letter of the 5*th* of *Nov.* that Things not going on with mutual Satisfaction between them and *Holland*, the King their Maſter would be in a Condition to gratifie his Majeſty's Subjects, by giving them Advantages in their Commerce; and that he hoped I ſhould receive his Majeſty's favourable Reflexions upon that Hint 'ere it be long, which would make them ſtand off more and more from concluding a Treaty of Commerce with *Holland*.

I beſeech you, Sir, to favour me with your Directions, what Anſwer to give M. *d'Olivenkrantz*, if he call upon me, as he ſaid he would, to know whether his Majeſty hath given any Directions upon it, or taken any Notice of theſe Hints, which, I confeſs, to me are dark and general. I am, *&c.*

L. Jenkins.

Nime-

Nimeguen, 21ſt Nov. 1678.

Right Honourable SIR,

MY laſt Diſpatch, which was of the 18*th*, was no ſooner finiſhed, but M. *Colbert* brought me a Body of Articles, which he deſired me to paſs my Offices upon towards the *Imperial* Ambaſſadors: He told me, he gave them in not as a Project, but as the laſt Reſult of what had been ſo much debated between them and the *Imperialiſts*; nor could they, he ſaid, now bear any Change, ſince they, the *French*, have drawn them up in the very Senſe that the *Imperialiſts* had agreed ſome, and demanded others of theſe Articles.

THEY had, he ſaid, but one general Article more, which they deſire to have inſerted: It was that touching the Contributions here, and how long they ſhould be paid; but there ſhould be no Difficulty about the penning of it, in regard they would content themſelves with that Article as 'tis already worded in the Treaty between them and *Spain*.

THEY were charged, he ſaid, by their King, to take Care of the Intereſts of ſome particular Perſons, and to get them provided for in the Treaty: One is, the M. *de Schombergh*, who hath Pretenſions upon the City of *Frankfort*, upon his Electoral Highneſs *Palatine*, and upon the Duke of *Lorain*: Another is, the Princeſs Dowager of *Baden*, (Daughter to the Princeſs of *Canguan*) who hath Pretenſions, in virtue of her Marriage-Covenants, upon the Prince of *Baden* now Regent: A third is, the Prince of *Salme*, who would be relieved of the Fears he hath of ſeveral Grievances that this preſent Duke of *Lorain* may give him, as the Duke his Uncle did. But theſe, he ſaid, he would not ſpeak of, till the general Articles were agreed, and then they would give me Memorials of theſe ſeveral Pretenſions.

THE laſt Thing that M. *Colbert* ſaid to me, in delivering me theſe Articles was, that they had taken Care to expreſs their Reſpect to his Majeſty in the Preface of their Treaty, tho' his unwearied Pains, and Zeal for the Peace, was beyond all that Words can expreſs: He ſaid, his Majeſty's Miniſters may be named (if they ſo deſire it) in the Preface; but that our Commiſſion cannot be inſerted into the Treaty, becauſe the Emperor and his Allies are named in the firſt Place, then the Moſt Chriſtian King is named after them; whereas there ought to have been no ſuch Separation or Diſtance, he ſaid, to lie between him and the Emperor.

THIS, he ſaid, was a Miſtake in the Nuncio's Commiſſion too; and they had told him, that they would never ſuffer his Commiſſion to enter into, and become a Part of any Treaty of theirs; nor was it needful, he ſaid, for that there is no Preſident that he M. *Colbert* can find, for inſerting the Mediators Powers into the Treaty: It was not ſo at *Munſter*, he ſaid, nor at *Aix la Chapelle*, where he was preſent and acting, the Miniſters of a Mediator are *fondez valablement*, theſe were his Words, by the naming of their Maſter in the Preface; and to inſert their Power would be ſuperfluous, where there is nothing promiſed, nor nothing ſtipulated in the Mediator's Name.

UPON this whole Matter, and eſpecially upon the Words of this Preface that relate to his Majeſty, I moſt humbly beg your Reflexions; and that we may know Time enough, whether his Majeſty can admit them or not, for they ſpeak in particular of nothing more than of his having got this Aſſembly together, without mentioning his Office of a

General Mediator; and 'tis my humble Opinion, that Right is not done to his Majeſty as his Rank and Figure of a General Mediator deſerves.

M. *Colbert* having deſired me to loſe no Time in communicating theſe Articles to the *Imperialiſts*, I attempted to do it the ſame Evening, but the Hour they aſſigned me was not till *Tueſday* Morning: The *Imperialiſts* ſaid little for the preſent, but that they would fall to work upon them; only in Anſwer to what I told them of the Pretenſions of particular Perſons, they ſaid, that they had ſeveral of that Nature to offer on their Parts. They did not tell me they had a Contre-project of their own to give in, but 'tis the general Belief they will give one; for they muſt elſe put themſelves to the Pains of turning this *French* into *Latin*, ſince their Treaty muſt be in the Language of the Empire.

Last Night the *Swediſh* Ambaſſadors came in Form, to deſire my Offices in mediating between them and the *Dutch* Ambaſſadors; for they will, they ſay, henceforward go by the way of the Mediation, and not by immediate Conferences between themſelves, as they have hitherto done. They told me three Days ago, they would give in their Project for a Peace with the Emperor and Empire, but they have it not yet ready; they are not a little troubled, that the *French* have in their Articles made no Manner of Proviſion or Stipulation in Favour of *Sweden*, but left them, the *Swediſh* Ambaſſadors, to ſhift for themſelves.

Being told for certain laſt Night, that the Ratifications from *Spain* were arrived, I laid out to ſpeak with M. *Haren* and M. *de los Balbaſes*, the firſt gave me the Hour of 11 this Day, the other I cannot come to ſpeak with till the Afternoon.

M. *Haren* tells me, the *Spaniſh* Ambaſſadors had acquainted him yeſterday, that the Ratifications were come to Hand, but that they had Orders to get two Things in them explained, or elſe ſupplied. The one is, that the ſeveral Things that are left to Commiſſioners to ſettle and decide, may be ſubmitted to his Majeſty and the States General, in caſe the Commiſſioners do not agree within a certain Time. The other Point is, that it be expreſly provided, that the Rebels of *Meſſina* and *Naples* are not intended to be comprehended in any of the Clauſes of Oblivion that are in the Treaty.

When M. *Colbert* was told of this, (as he was laſt Night by M. *Haren*) he was out of all Patience, eſpecially with this laſt, ſaying, if he were worthy to adviſe the King his Maſter, he would have him ſpend the utmoſt farthing in purſuing the War, rather than ſubmit to ſuch a ſhameful Condition. M. *Haren* is likewiſe of Opinion, that the States his Maſters will be very much ſcandalized at this laſt Propoſition. The *Spaniſh* Ambaſſadors told him further, that he and his Collegue had been the Cauſe, that their Proceedings here had been very much diſapproved of by their Court. 1. In that they had, at the Inſtance of the *Dutch*, (mediating with them) yielded the Artillery and Ammunition of their Places to the *French*. 2. That they had preſſed them to that Neutrality, that was ſo juſtly offenſive to the Emperor. 3. That they did their Buſineſs in ſuch a Huddle, that they did not ſtipulate anew from the *Dutch* the rendering of *Maeſtricht* to *Spain*, as ſoon as it ſhould come to their Hands.

M. *Haren* took this Occaſion to tell me, the *Swediſh* Ambaſſadors had been with him laſt Night, to acquaint him they were reſolved to make uſe of the Offices of his Majeſty's Mediation, in the Buſineſs depending between them and the *Dutch* Ambaſſadors; they gave for their Reaſon of coming to that Reſolution, that their Miniſter M. *Leyenbergh* had been

been reproached at the Court, becauſe theſe Ambaſſadors did ſo affectedly wave his Majeſty's Mediation.

I muſt not forget to tell you, that the *Cologn* Miniſter does, in the Name of his City, moſt humbly beſeech me, that M. *Barillon* may be ſpoke to from his Majeſty, that *France* would admit it into a Neutrality.

M. *Balbaſes* tells me the very ſame Things that M. *Haren* did: If I miſtake not, the Council of *Flanders* adviſes him and his Collegue to exchange the Ratifications forthwith, notwithſtanding what is deſired from *Madrid*. I did remonſtrate to him the beſt I was able, the Inconveniencies of deferring the Exchange any longer; the true Reaſon why he ſhould defer it for ſome Days is, out of the Regard he hath to the Emperor's not having his Peace finiſhed, before the *Spaniards* ratifie theirs. But certainly the *Imperialiſts* ſtand in their own Light, if they deſire *Spain* ſhould delay it any longer on their Conſideration. *Don Juan* hath taken Orders for 6000 *Spaniards* to be tranſported from *Galicia*, to fill the Places that *France* is to reſtore them in the *Netherlands*. I am, *&c.*

L. Jenkins.

Nimeguen, 25th Nov. 1678.

Right Honourable Sir,

My laſt was of the 21*ſt* Current, ſince which I have the Favour of one from you of the 15*th* to acknowledge. In my laſt went a Body of Articles the *French* Ambaſſadors had drawn up, for the Peace with the Emperor and *Lorain*; there is no Anſwer yet returned upon them by the *Imperialiſts*, but M. *de los Balbaſes* told me laſt Night, we ſhould have one in a Day or two, and that it will be ſuch a one as amounts to a full Agreement with the *French*.

On *Friday* Night I gave in a leſs Body of Articles to the *Imperialiſts* from the *Swediſh* Ambaſſadors, a Copy of them goes herewith incloſed; we ſhall have an Anſwer upon them at the ſame Time as that upon the *French* Articles; but they are not ſo near agreeing; yet both theſe Treaties are (as 'tis projected) to be ſigned on the ſame Day.

M. *de los Balbaſes* is content, that the King his Maſter do enter into this Treaty with *Sweden* in conjunction with the Emperor, and by that Means the Difference between him and the *Swedes*, about the Language of the reſpective Powers, and of the Treaty itſelf, whether it ſhall be *Latin*, or elſe *Spaniſh* and *Swediſh*, will be taken away; and deſired me laſt Night to ſound the *Swedes* at a Diſtance upon this Point.

The *Swediſh* Ambaſſadors, on their Part likewiſe, do deſire the Biſhop of *Munſter*, and the Houſe of *Brunſwick*, would enter as Parties into the Treaty that the Emperor makes with *Sweden*; by that Means to excuſe themſelves from producing ſpecial Powers (as they have none) to Treat with the Miniſters of thoſe Princes: The *Imperialiſts*, when I propoſed it, told me, they were willing to make the Buſineſs of thoſe Princes part of their Treaty, provided it did not hinder or retard the concluding of theirs for the Emperor; but M. *Termulen* was with me laſt Night, to tell me there muſt neceſſarily a ſpecial Power be had from *Sweden* to Treat with him, for that his new Maſter is not in any Alliance with the Emperor; and yet the only Ground the *Swedes* have to pretend not to furniſh ſpecial Powers to Treat with their Princes is, becauſe they have a general Power to Treat with the Emperor and his Allies: So little is that Miniſter, and the *Brunſwick* Miniſters, advanced

in their Negotiation (publickly at leaſt) that they are not yet over this Preliminary.

THE *Lorain* Miniſter, who hath a great Part (as the *French* Ambaſſadors have deſigned it) in their Treaty with the Emperor, was with me on *Saturday*, to make his Excuſe, that having made his Option of the ſecond of thoſe Alternatives that his Maſter is put to, by the *French* Conditions of *April* laſt; the *French* Ambaſſadors, as they have extended the Alternative he had made Choice of into Articles, have made his Caſe much worſe than the Letter of the Alternative itſelf makes it; he therefore claims the Liberty of going off from his firſt Option, and chooſing again, rather than ſubmit to ſo hard a Conſtruction, and Extenſion of it, as the *French* Ambaſſadors have now made; and he would fly to the firſt Alternative, and let go the whole Dutchy of *Barre*, rather than have his Country ſo mangled and canton'd, as 'tis deſigned to be, by the High-ways that *France* is to have through it.

IN this Project, that the *French* Ambaſſadors have made, the Duke of *Lorain* is to have no more but what the Duke his Uncle was in Poſſeſſion of, in the Year 1670; yet in the *April* Conditions, there is no ſuch Reſtitution; nay, the Words are *Generalement luy remettre tous ſes Eſtats*. In this Project, here is a Territory that muſt be aſſigned to *Nancy*; in the Conditions of *April*, there is no ſuch Thing; when *France* pretended *Spain* ſhould aſſign a Territory to *Charlemont*, or procure one for *Dinant*, it was anſwered, the Conditions ſpoke of no Territory, but ſingly of the Towns, and there was in that Caſe no Territory further inſiſted on. In the *April* Conditions, there are demanded, *des Chemines qui ſeroient neceſſaires pour paſſer*. The Duke of *Lorain* is content it ſhould be ſo all his Country through, as Ways are uſually aſſigned; but to make over a 100 Leagues in length, half a League in breadth of this Country in Propriety and Soveraignty, is ſuch a Thing as never was heard of before; and the Letter of the *April* Conditions bearing no other Conſtruction, (the only one known hitherto in Practice) the Article, as it is penn'd, is intolerably more hard than the *April* Conditions, which mention nothing of transferring the Property of the Soil; beſides, as it is infinitely inconvenient for the Duke to have his Country thus mangled, ſo it will not ſerve the Turn intended for the Marches of Armies; nor is there any Thing of Recompence aſſigned, in lieu of ſo much of the Soil that *France* is to poſſeſs to Perpetuity. The *April* Conditions ſpeak of the Biſhoprick, as well as the City of *Toul*, to be made over to the Duke of *Lorain*; but this Project mentions not the Biſhoprick at all.

MUCH more he charged me with, touching *Maral* and *Longwick*, and touching Expedients to ſpeak to the *French* Ambaſſadors about, by Way of Repreſentation, how the *April* Conditions are to be underſtood, if the Duke of *Lorain* be not denied the Benefit of the Letter of them, which yet was not denied to *Spain*; nay, it was thought ſo reaſonable, that the States General ſtood by the *Spaniard* againſt every Thing that was demanded, and that the Letter of thoſe Conditions did not bear.

IT does not appear, that the *Imperial* Ambaſſadors will concern themſelves ſo, as not to make up their Peace, tho' nothing of this Rigour ſhould be remitted towards *Lorain*; for M. *de los Balbaſes* tells me, that they intend to take the Articles that concern *Lorain* out of the Body of their Treaty, and inſert a Line or two only in it, that ſhall be remiſſory to the *Lorain* Treaty when it ſhall be made up, and by that Means it ſhall make a Part of the Emperor's Treaty.

ON

On *Friday* the *French* Ambaſſadors brought me the Declaration incloſed, and (which is not uſual) called for Pen and Ink, and ſigned it it my Preſence; M. *Colbert* having read it, and I finding it did in a Manner prefix a Time for the Emperor to make his Peace (for they ſay therein, that the Moſt Chriſtian King will not hold himſelf tied any longer than till the laſt of *December*, *N. S.* to the Conditions he offered in *April* laſt, but will take himſelf to be at Liberty to take his Advantages anew) I deſired them to excuſe me from paſſing (at leaſt ſuddenly) any Office upon ſuch a Declaration. I told them, I ſhould have Occaſion to be with the *Imperialiſts* that Evening (being to carry to them the *Swediſh* Propoſitions) and that I would preſs them all I could to give their Anſwer upon the *French* Propoſitions; and that if they did not come to a Cloſe, *France* might chance to enter upon other Meaſures; but M. *Colbert* ſaid, there was a Neceſſity they ſhould make this Declaration of the King their Maſter's Mind as publickly as may be, and as ſoon as poſſible; which was done accordingly, for the Declaration came out in Print next Day, and was paſted to the Walls in the uſual Places, not only in the *French* Language, but alſo in *Low-Dutch*.

In this Converſation with the *French*, I moved, as I had been requeſted by the *Newburgh* Miniſters, to know of them, whether they had had any favourable Anſwer from Court, for the admitting of that Duke into the Incluſion: M. *Colbert* told me, they never writ about it, though it ſeems M. *de Haren* was perſwaded they would, upon what paſs'd between him and them; and then M. *Colbert* let himſelf, by Degrees, into ſome Paſſion againſt the Incluſion pretended by the States General, ſaying, *On nous prendroit pour des diepes, ſi on nous croyoit capables de conſentir à une telle explication, il voudroit meux faire la guerre cent ans.* So that there ſeems but little Hopes that *France* will give into the Interpretation that the States would make of their Article of Incluſion.

It ſeems, M. *de los Balbaſes* is engaged to ſtay and ſee, whether the *Imperialiſts* can finiſh their Peace before he exchange his Ratifications, having 10 Days yet good to do it; the *French* having prolonged their Term from the 30*th* of the laſt Month, *N. S.* to the 15*th* of this; he complained to me laſt Night of the Slowneſs of the *Imperialiſts*, deſiring me to preſs them to come to a Concluſion; he ſent them his Deſires in Writing, that they would (ſince the *Low-Countries* ſuffered ſo much, and the Emperor gained nothing by it) diſpenſe with him, and not take it amiſs, if he proceeded forthwith to exchange the Ratifications; but the *Imperialiſts* held him to his Orders from *Spain*, telling him, nothing would be more diſpleaſing to the Emperor than ſuch a Proceeding; and this is the Reaſon the Ratifications are not yet exchanged. I am *&c.*

L. Jenkins.

Nimeguen, 28*th Novem.* 1678.

Right Honourable Sir,

My laſt was of the 25*th*; I have ſince the Favour of yours of the 22*d* to acknowledge, and humbly thank you for it.

We have been here ever ſince *Monday*, earneſtly expecting the *Contre*-Project of the *Imperial* Ambaſſadors, by Way of Anſwer to the Articles I handed over to them the 19*th* of this Month; and laſt Night at 6, M. *de Gurck* and *Stradtſman* brought me their Project of 24 Articles, excuſing

excuſing their not having done it ſooner, for that they were firſt to ſee what the *Swediſh* Ambaſſadors would ſet forth in their Project, ſince the Treaties of the *French* and *Swedes* are intended to be relative one to the other.

The Articles are of that length, that 'tis as much as two Hands can do, to make out a Copy of them, for me to paſs my Offices upon with the *French* Ambaſſadors ſome Time this Forenoon, that it may not be ſaid to have ſtuck at all in my Hands; and I beg your Reſpite for a Copy till the next Ordinary, if it cannot be got ready by this.

I read over this Project curſorily, while the *Imperialiſts* were by, and diſcourſed with them upon ſeveral Objections that I thought would lie in our Way; the Truth is, the Articles are ſo contrived, that there are but very few of them that will not afford much of *Chicane* before they can be adjuſted.

1. In the Buſineſs of *Lorain*, as the *Imperialiſts* propoſe it, I do not ſee how they can be reconciled to the *French*.

2. They propoſe a Ceſſation of 4 Months in the *North*; the *French* and *Swedes* give out, that they cannot conſent to any ſuch Thing.

3. They would have the *French* promiſe them to accept of an Equivalent for *Friburgh*, but the *French* in their Articles projected the abſolute Ceſſion of it, and have refuſed ſeveral Offers made them of an Equivalent. Other Points there are, though not ſo difficult to be reconciled, yet ſuch as will take up more Time than ought to be ſpent in *Chicaning* of Words, as the Conjunctures now are.

I came now from delivering the Articles of the *Imperialiſts* to the *French*; I have Time to ſay no more, but that I never ſaw M. *Colbert* in ſo much Heat as at this Time, about the three Points abovementioned; they would, he ſaid, put forth a *Manifeſto*, and ground it upon thoſe Points: The Articles were brought him by the Nuncio yeſterday, ſeveral Hours before the *Imperialiſts* put them into my Hands; ſo that his Remarks were ready drawn up on each Article. In a Word, the *French* will hear of nothing, till they have a clear Article agreed for the Ceſſion of *Friburgh*; for had not the *Imperialiſts* born them in Hand, that they would quit *Friburgh*, they would not have ſlackened their Hold about the Way to it, and the Territory about it; for their Orders were, not to yield theſe Points till they were ſure of the Peace; they muſt know likewiſe, what Meaſures the Emperor will enter into for reſtoring *Sweden*, in Caſe a general Peace cannot be ſuddenly made.

One Thing aſtoniſhes me very much, as ſoon as the *Imperialiſts* left me laſt Night, I went to M. *de los Balbaſes*, and took Occaſion to repreſent to him, that it was morally impoſſible the *Imperialiſts* and the *French* ſhould be brought to cloſe, without ſome conſiderable Time ſpent, at leaſtwiſe as much as was neceſſary to ſend to the reſpective Courts of *Vienna* and *France*; and therefore, that the *Spaniſh Netherlands* would be not only in the Way of utter Ruine, but in Danger of ſome Fatality, (I did not ſay Revolt) unleſs that Peace were made ſure; he would not ſo much as tell me, (tho' otherwiſe he is friendly and open enough to me) when he would proceed to ratify, nor ſay he would do it at all, but deſired me to puſh on the *Imperialiſts* all I could.

I have made many a Journey theſe 3 or 4 laſt Days, between the *Swedes* and M. *de Haren*, but can bring them to no good Underſtanding; the *Dutch* are inflexible upon certain Terms in the Peace; the principal is, not to covenant with *Sweden* to be Neuters, if it have War with their Allies; this makes the *Swedes* deny them the Advantages they would otherwiſe have from them in the Trade of their Country;

and

and both the one and the other ſay, there can be no Peace upon the Terms now inſiſted on. I am, *&c.*

L. Jenkins.

Nimeguen, 2d Dec. 1678.

Right Honourable Sir,

My laſt was of the 28*th* paſt, ſince which we have not any Letters from that Side. The Contre-project of the *Imperialiſts* to the *French*, you will, I hope, have received by this Poſt; for tho' it could not be got ready with this Diſpatch, yet the Poſt making ſome Stay beyond his ordinary Hour, it was ſent to the Poſthouſe before he parted. The ſame Evening, the *Imperial* Ambaſſadors brought me another Contre-project; it was that which they had prepared in Anſwer to that of the *Swedes*.

The *Swedes* Ambaſſadors, when I delivered it them the next Day, were mightily diſſatisfied with it: 1. In that it was not provided, that the Emperor ſhould not aſſiſt the Enemies of *Sweden*. 2. In that it propoſed a Neutrality of 4 Months, which would be of the utmoſt Diſadvantage to the *Swedes*. 3. In that their Enemies, the *Spaniards* and the *Dutch*, were made to intrude into the Mediation, even before the Peace between *Sweden* and either of them was made. 4. In that the Moſt Chriſtian King too, was deſigned to enter into the Mediation of the *North*; that, they ſaid, would take him off from acting according to his Engagements, for the reſtoring of *Sweden*; and give him Cauſe to ceaſe the Operations of his Arms, and to turn all his Succours into Offices.

This is the Remark they made upon the 4*th* Article of the *Imperial* Contre-project; and indeed that Article had one Thing in it, which I thought myſelf obliged to except againſt; for when they had named for this Mediation, the Emperor, the King of *Spain*, and the States General, they had added, — *Non minus quam Rex Chriſtianiſſimus unà cum Rege* Britanniæ *uti Mediatore officia ſua efficaciſſime conjungent*; I told them that was none of the King my Maſter's Place, and that I would never paſs my Offices upon their Paper. Beſides, I obſerved to them, that though his Majeſty were named in the proper Place, that is, in the firſt, as Mediator; yet in Regard he would be thought to come again in the cloſe of the Article, under the general Words of *jam dictas potentias*, he would ſeem thereby to be engaged to enter into Meaſures with the abovenamed Potentates, for the forcing of a Peace in the *North*, in caſe this Mediation of 4 Months ſhould prove without Succeſs; that I was not inſtructed of his Majeſty's Pleaſure in this Matter; that his Majeſty's Commiſſion to us here was only to promote the General Peace by our Offices, and when that was made, to give his Majeſty's Guaranty for it, if it were deſired; that I was ſure this Article did imply, that his Majeſty would take upon him another Figure than that of Mediator, if this Mediation of 4 Months were fruitleſs; therefore that I durſt not paſs my Offices, much leſs ſign a Treaty to that Effect; whereupon they took their Project again, and changed that, and ſome other Things in it, not bringing in his Majeſty, nor making mention of him in this Article, as Party to this new deſign'd Mediation.

I left the *Swedes* Ambaſſadors in a great doubt, whether they ſhould anſwer upon this Contre-project, or elſe adhere to their own Project; but this will be reſolved ſome Time this Day, in a Conference they are to have of Courſe with the *French*; for they intend to govern themſelves

ſelves in their Manner of proceeding, as the *French* ſhall do in their Anſwer upon the *Imperial* Contre-Project given in to them.

THE *French* Ambaſſadors were with me laſt Night, to declare what they would do as to that Matter; 'tis thus, they would husband the Time, they ſaid, to the beſt Advantage, but they pretend their Articles given in to the *Imperialiſts* to be exactly conformable to the *French* Conditions of *April* laſt, and to ſeveral Declarations that the *Imperialiſts* have given in Writing, and made by Word of Mouth, of their conſenting to what the *French* demand touching *Friburgh*, *Lorain*, &c. therefore they expect that the *Imperialiſts* ſhould, before they proceed further, bring their Contre-project (in thoſe Points eſpecially) to a Conformity with the Articles of the *French*, and their own former Declarations; when this is done, they will enter into Conferences, for the ſpeedier adjuſting of leſſer Points that are not in the *French* Conditions of *April*, nor yet pretended by the *French* to be agreed between them.

I carried this Overture ſtrait to the *Imperialiſts* and M. *Cannon*, but was not able to bring them to any Reſolution upon it; they took till ſome time this Day to conſider, and give in their Anſwer; only M. *Cannon* told me plainly, that the Duke his Maſter could not part with his City of *Nancy* in Sovereignty to *France*; were there nothing elſe, this would hinder the Peace, unleſs the *Imperialiſts* do leave M. *Cannon* to himſelf, as M. *Balbaſes* ſays they will, contenting themſelves with an Article, that ſhall declare the Treaty of *Lorain* to be Part of theirs whenever 'tis concluded.

M. *Balbaſes* told me, that the Nuncio doth not appear openly in mediating between the *Imperialiſts* and the *French*; for that he ſees both thoſe Parties agreed to renew and confirm the Treaties of *Weſtphalia*, againſt which there are ſeveral Proteſtations of Cardinal *Chigi*, that was Nuncio at *Munſter*, and a Bull, as I take it, of *Innocent* X. who was the then Pope. This Nuncio profeſſing to M. *Balbaſes*, that he was a Well-wiſher to the Peace, and eſpecially to the reconciling of the Emperor and the Moſt Chriſtian King, as alſo to the Part that the Duke of *Lorain* had in it, whoſe Intereſt he would promote as much as in him lay; he was a little concerned, when M. *Balbaſes* told him, he had heard that the Auditor had delivered a Contre-project in his Name, as Mediator, from the *Imperialiſts* to the *French*; he aſſured him, that he knew nothing of any Contre-project; that he inquired not much after the Auditor whither he went, nor what he did, contenting himſelf that he was within Call when he had Uſe of him. M. *Balbaſes* Conceit was, that the Nuncio did not purge himſelf thus diligently, but out of Apprehenſion that ill Offices might be done him at the Court of *Rome*, in caſe it ſhould be believed there, that he had any Hand in promoting the Re-eſtabliſhment of the *Weſtphalia* Treaties.

FROM this it may be gathered, that the Nuncio will not have that ſolemn Part that was expected, in the Preface of an Inſtrument apart, nor have the Treaty ſigned at his Houſe; but 'tis to me very probable, that the *Dutch* Ambaſſadors may (upon the Nuncio's diſappearing thus) be invited by both Parties, (in regard of the Confidences between them) to take the Figure, and enter upon the open Functions of mediating jointly with me, or ſeparately from me, as M. *Beverning* hath already in *September* and *October* laſt gone often between them, tho' with Intention not to prejudice, as he was pleaſed to give out, his Majeſty's Mediation.

THIS is certain, the *Dutch* did in *Auguſt* laſt offer their Offices to the *Imperialiſts*, in order both to the Ceſſation then treating, and to the

the Peace, and that the *Imperialiſts* did then accept the Offer; if they ſhould now do the ſame to the *French*, I doubt not but they would accept it: This new Mediation, if it ſo fall out, will give me ſome Uneaſineſs till I ſhall be able to receive his Majeſty's Directions how to behave. I ſhall not forbear my Offices and Functions for their intermeddling, and if I be requeſted by the Parties, and by themſelves, to admit of their Conjunction in paſſing Offices, I ſhall not refuſe it; and if the Parties ſhould reſolve to mention the States in their Inſtrument, (provided right be done to his Majeſty in his proper Place) I ſhall not oppoſe it; that which inclines me to think this Courſe, if I be put to it, moſt ſuitable to his Majeſty's Intentions, is, 1. That the Parties have reſerved themſelves in their Powers, a Liberty either to act by themſelves, or elſe by ſuch Mediators as ſhould be received, the Power of receiving them being ſtill in their Hands. 2. That there is a Concert at this Time between his Majeſty and the States, for the joint warranting of the Peace of *Chriſtendom*; and therefore I ſuppoſe there would be no Difficulty on his Majeſty's Part, to ſuffer the States Miniſters to have their Part in it, if they ſhall deſire it, in the mediating of it.

I could not cloſe this Letter, without firſt ſpeaking with M. *Balbaſes*, about the Ratifications; the ſhort of what he told me as a great Secret is, the *French* have refuſed to prolong the Term, and he is reſolved to proceed to the exchanging of them on *Thurſday* next.

L. Jenkins.

Nimeguen, 5th Dec. 1678.

Right Honourable Sir,

THO' I am not authentickly notified, as I hope to be, of the Exchange of the Ratifications between the *French* and *Spaniards*, yet I am able to aſſure you they are actually exchanged; and if Wind and Weather will permit, you ſhall have Notice of it by Expreſs, as ſoon as I know it from any of the Parties. I am, *&c.*

L. Jenkins.

Nimeguen, 5th Dec. 1678.

Right Honourable Sir,

I Am now able to tell you for certain, that the Ratifications between *France* and *Spain* were actually exchanged between 4 and 5 this Afternoon. The Manner was thus: Both Embaſſies ſent in their reſpective Ratifications yeſterday to the *Dutch* Ambaſſadors; they iſſued out Copies of them this Morning, and ſent them to the Secretary of their Embaſſy, that of the *French* to the *Spaniards*, and that of the *Spaniards* to the *French*. I am not certain whether the Originals went along to be ſhew'd to the *Spaniards* in Form or not, but I believe they did; between 4 and 5, the *French* and *Spaniſh* Secretaries met at the *Dutch* Ambaſſadors, and made the Exchange in and through their Hands; and ſo the Buſineſs was ended without Ceremony. The Inſtruments were without Exception, only the *Spaniſh* one was found to be a little *Maigre*, the Writing being upon Paper, and the Seal upon a Wafer: The *Dutch* Ambaſſadors, after this Work was over, and their Diſpatch ſent to their Maſters, took

the Pains to come and give me Notice of this Exchange; ſo that there is no doubt now but the Thing is done.

MOST of my Time ſince my laſt, which was of the 2 *d* Current, and eſpecially all this Day, hath been taken up between the *Imperialiſts* and the *Swedes*, in debating their ſeveral Projects; there is nothing but may be reconciled between them, and, as I take it, will be ſo, if the *French* and the *Imperialiſts* do agree; the *French* are in Expectation of the Reflexions and Orders of their Court, upon the Counter-project of the *Imperialiſts*; theſe laſt have now a Mind to go off from the Option they have made of *Philipsburgh*, and ſtick to *Friburgh*, if the *French* do not accept of an Equivalent for it. I am, *&c.*

L. Jenkins.

Nimeguen, 9th Dec. 1678.

Right Honourable SIR,

MY laſt was of the 5 *th* Current by Expreſs, whereby I gave you an Account, that the Ratifications between *France* and *Spain* had been actually exchanged. Laſt Night I had the Favour of two from you, the one of the 29 *th* of *November*, the other of the 3 *d* of *December*, which came to Hand both at the ſame Time.

I ſpoke with the *French* Ambaſſadors this Morning, and repreſented to them his Majeſty's Reflexions upon their Preface, as they intended it for the Peace with the Emperor: M. *Colbert* at firſt would have maintained, that they had given the King his Title of Mediator in their Draught, but afterwards went off from it, and excuſed that Omiſſion, as alſo their reſtraining all his Majeſty's Care and Pains to the ſingle Thing of having got this Aſſembly together, with ſaying, that they had underſtood it to be his Majeſty's Meaning, not to have any long Narrative of his Merit, but only *fort peu de Mots* in the Preface; they would write, they ſaid, to Court about it, and he thought there would be no Difficulty in the Matter; ſure he was, there would be none in naming his Majeſty's Miniſters here in the Preface; however, they would write about it, ſaid he, a 2 *d* and 3 *d* Time. And this was all the Anſwer they gave me in the Point, which I cannot but wonder at; for when M. *Colbert* delivered me the Articles 3 Weeks ago, he ſeem'd in a Manner to ſubject the Preface to ſuch Alterations as ſhould ſeem moſt agreeable to his Majeſty; ſaying, he had endeavoured to do him Right, and left us to ſupply any Thing we found wanting.

WHEN I told him, that beſides his Majeſty's Orders by the laſt Letters, I had very ſtrong Motives put into my Hand by their Secretary late laſt Night, that obliged me to pray them, that Right might be fully done to his Majeſty, as General Mediator. Their Secretary had brought me ſome particular Articles, touching the Intereſts of the Princeſs of *Baden*, the Prince of *Salme*, and the M. *de Schombergh*, a Copy whereof goes incloſed; and together with theſe, there goes an Article, ſetting forth in moſt advantageous Terms, the Merits of the Elector of *Bavaria*, in labouring for this Peace of the Empire; firſt by frequent Letters and Meſſages to the Courts of *Vienna* and *France*, and by entering ſince into Treaty about it with the Cardinal *d' Eſtrées*; all this is intended to be inſerted in the ſame Preface and Paragraph where his Majeſty is mentioned. To this M. *Colbert* anſwered, that this Article touching the Elector of *Bavaria*, came to them ready drawn from *Paris*; and

and he thought that the Emperor had already, at the Motion of the Elector, agreed to this Clauſe. Thus he paſs'd over this Objection, as if the Mediator had nothing to ſay, where the Parties are agreed, as he would have me believe they are, in this great *Elogie* to be given to that Elector. But they are ſo far from agreeing, that M. *Stradtſman* ſhewing me in Confidence, this Clauſe that the *Imperialiſts* had received from the Auditor on *Friday*, (that is 3 Days before it was communicated to me) ſaid, it was put upon them *pour la honte & le opprobre de l' Empereur & de tout l' Empire*. Beſides, he obſerved to me, that in another Clauſe that follows this, for that Elector's Indemnity, all the Pretenſions that his Highneſs the Prince Elector *Palatine* hath to ſeveral Things depending between him and that Elector, are anew transferred and ſecured to the Elector of *Bavaria*.

Upon the whole Matter, I moſt humbly deſire his Majeſty would be pleaſed to conſider, whether it would not be more ſuitable to his Royal Judgment, to paſs by a Complement that is like to be but very much ſtraitned at the beſt, than ſtand in the ſame Paragraph with ſuch a Rival, ſo affectedly ſet up as this Elector is. I mention it, becauſe 'tis my humble Opinion, that to have laboured in the Work, as his Majeſty has done, and ſtill does, and intends to do all along, and to leave this Flouriſh to that Prince, who hath gone ſo far about to compaſs it, will diminiſh nothing, but rather add to the Luſtre of his Merit.

From the *French*, I went to the *Lorain* Miniſter, who is extreamly ſenſible of his Majeſty's Favour and Grace to his Maſter; all that he deſired was, that I would write to Sir *W. Temple*, for his good Offices at the *Hague*, to procure vigorous Orders to the *Dutch* Ambaſſadors in *France*; but he, I perceive, and M. *Balbaſes*, have given different Opinions of what the *Imperial* Ambaſſadors will do touching *Lorain*; the Marquiſs ſays, they will make their Peace, and leave *Lorain* to follow after as it can: M. *Cannon* ſays, their Orders are expreſs, not to conclude without finiſhing the Affair of *Lorain*.

There paſſes nothing between the *Imperialiſts* and the *French* touching the General Peace, that I can penetrate; one Embaſſy ſays of another, that the adverſe Party is in Expectation of Orders; but the *French* told me this Day, they expect none, nor cannot go off from *Friburgh*, tho' they have Intimations, they may have *Philipsburgh*; they told me indeed, the *Imperialiſts* expect new Orders, but they muſt come quickly and cloſe, or elſe we ſhall hear of new Preparations as ſoon as this Month is out.

I have gone ſince my laſt between the *Swedes* and the *Imperialiſts*, but find nothing is to be brought to Effect between them, but as Affairs move between the *Imperialiſts* and the *French*. I am, *&c.*

L. Jenkins.

Nimeguen, 12*th Dec.* 1678.

Right Honourable Sir,

Since my laſt, which was the 9*th*, we have no Letters from that Side come in.

We have nothing new in relation to the Peace between the Emperor and *France*; the *French* received a Courier on *Tueſday*, but he brought nothing (as M. *Colbert* told me yeſterday) relating to the Subject Matter of the Treaty; the Sum of his Diſpatch was, that they were ordered to acquaint the Mediators, that the Moſt Chriſtian King was reſolved to ſtay

no longer than the $\frac{5}{15}$*th* for the Ratifications from *Madrid*, but to begin the War again upon *Spain*, only that he would attack no ſtrong Place in the *Spaniſh Netherlands*, but make good his Promiſe to the States General, which M. *d'Avaux* had Orders at the ſame Time to acquaint them with; but the Ratifications being (as he expreſt it) luckily changed within the Time, they had no more to do, but ſend back the Courier.

M. *Colbert* ſays, his King will not ſuffer either the *Imperialiſts* or M. *Cannon* to go off from the Option they have made; and that they, the *French*, will not accept of *Philipsburgh* as an Equivalent in lieu of *Friburgh*, this laſt Place being more for their Convenience in divers Reſpects, and carrying much leſs of Envy with it, than the other did.

M. *Colbert* obſerved to me, there are now but 10 Days unexpired of the Time; during which, they will be bound to ſtand to, and make good the Conditions they propoſed in *April*; and M. *d'Eſtrades* told me, they would infallibly produce new Conditions as ſoon as this Month is up, adding, they ſhould now, upon the emptying of the *Spaniſh* Places, have 20000 Men more to pour into the Empire.

As for the Treaty between the Emperor and *Sweden*, tho' many of the Articles they do not fully agree in; yet in going ſo often as I do, and have done, between them, I perceive, that if the *French* and *Imperialiſts* agree in their Treaty, it will be no hard Matter to reconcile the *Swedes* with the *Imperialiſts*: The Articles that the *Swedes* have in common with the *French*, to ſtipulate from the *Imperialiſts*, being the only Articles that are of Weight; and if it could be agreed what the Emperor and the Empire are to do, or rather ſuffer to be done, by *France*, for the reſtoring of *Sweden*, no other Difficulty would hold us long.

M. *Stradtſman* told me plainly enough, they, the *Imperialiſts*, would try to make up their Buſineſs with the *French* in the firſt Place; that being done, the *Swedes*, he ſaid, would follow after; but while it was not done, it was in Vain to labour to bring the *Swedes* to any Point.

In the mean Time, the *Northern* Allies cry out upon the *Imperialiſts*, for that they have given out *Contre*-Projects to the *French* and *Swedes*, not only to the extream Prejudice of their Part in the common Cauſe, but alſo without giving them any Notice of what they intended to do, as they are bound by very ſtrict Engagements.

The Elector of *Brandenburgh* hath writ to the Emperor, (after he had ſeen theſe *Contre*-Projects) his Miniſters alſo have ſpoke at *Ratisbone*, in a Language not uſual. M. *de los Balbaſes* tells me, he is ſcandalized with what was ſpoke at *Ratisbone*; and the *Swedes* Ambaſſadors told me yeſterday, the Elector's Letter to the Emperor (of the 24*th* paſt) is very extraordinary. M. *Blaſpiel's* Complaints, in a Converſation I had with him on *Tueſday*, were very high upon this Subject; yet here is a Belief, that the Houſe of *Brunſwick*, and the Biſhop of *Munſter*, are leaving of the Elector, and making their Peace apart, which yet does not appear to me ſo near at Hand.

M. *de los Balbaſes* told me, 'tis now the great Point in Debate, but yet undecided at *Ratisbone*, whether the Emperor or Empire ſhall take upon themſelves to reſtore *Sweden*, by the ſame Method and Means, that any Prince, diſpoſſeſſed of his Rights, were to be reſtored by the Conſtitutions of the Empire; or elſe, whether they ſhould leave that Work to *France*, to bring it about as it can.

The *Dutch* Ambaſſadors finding the Commerce much interruped in the *Baltick*, by the *Swediſh* and *Daniſh* Men of War, the one ſearching for

for the Goods of the other in the *Dutch* Merchants Ships, and, as they tell me, *Engliſh* Ships too, have deſired from the *Daniſh* Ambaſſador a Declaration, that *a free Ship makes free Goods*; his Anſwer was no other, but that he would write; they deſired me to paſs my Offices with the *Swedes*, to procure from them the like Declaration; their Anſwer was, that this was already ſufficiently declared in the proviſional Treaty now in Force between them and *Holland*; that they were ready to renew and confirm it by a Treaty of Peace; beſides, they knew of no Breaches in the Caſes complained of.

I could not paſs this Poſt, without ſpeaking with the *Dutch* Ambaſſadors and M. *Stradtſman*; the firſt have a Plan to propoſe from their Maſters to the *Imperialiſts* and the *French*, but dare not yet produce it, becauſe they find the Parties at too great a Diſtance the one from the other, to hope for any good Succeſs from any Temperament: They have News from the *Hague*, that the *French* will attack *Strasburgh*, *Treves*, and *Cologn*, 'ere long; and that M. *Stradtſman* ſays, they, the *Imperialiſts*, will inſiſt finally upon *Friburgh*. I let him know what likelihood there is, the Parliament will preſs the recalling of our Troops from *Flanders*. He ſays, the Emperor will make the Peace without the Duke of *Lorain*.

I beſeech you, SIR, not to forget to ſend me the Favour of your Reflexions upon the Article I ſent you in my laſt, touching the Elector of *Bavaria*'s Offices for the Peace; the Biſhop of *Gurck* told me, as the Auditor did him, that if the Nuncio had been to be named in, or to ſign the Inſtrument of Peace, he would oppoſe the inſerting of ſuch a Clauſe into a Preface, where the Pope was Mediator. I am, *&c.*

L. Jenkins.

Nimeguen, 16th Dec. 1678.

Right Honourable SIR,

MY laſt was of the 12*th*; we have ſince no Letters from that Side, the laſt that came to Hand being of the 3*d*.

ON *Thurſday* late, M. *Stradtſman* came to me from his Collegues, and deſired me to let the *French* Ambaſſadors know, they, the *Imperialiſts*, longed for their Anſwer, upon what had been offered them the $\frac{1}{11}$*th* of this Month, touching *Philipsburgh*; and that they were ready to enter into Conference with them upon the Differences between the two Projects.

To this the *French* anſwered, that they gave a categorical Anſwer at the ſame Time the Propoſition was made to them, to this Effect; that they would not take *Philipsburgh* and leave *Friburgh*, neither by giving Way to a new Option, nor by Way of Equivalent, *France* being under no Obligation to ſuffer the *Imperialiſts* to chuſe anew; and the *French* Ambaſſadors do not think fit to accept of this Equivalent, as being not ſo convenient for *France* as *Friburgh* is. As for entring into Conferences, they are willing to do it, but expect the *Imperialiſts* give them new Aſſurances that they ſhall have no further Difficulties about ſome certain Points they were once agreed on.

I finding that there was, and is ſtill, a great Miſunderſtanding between the Parties, touching this Anſwer alledged by the *French* to have been given the Nuncio, but denied by the *Imperialiſts* to have been ever brought them, thought it ſafeſt to take in Writing what each Party ſaid,

both

both Sides being ſomewhat rough at this Time; the *Imperialiſts*, becauſe they cannot have *Friburgh* back again for ſuch an Equivalent as M. *Colbert* did ſome Months ago prize very much above *Friburgh*; and the *French*, for having opened themſelves too freely about the Dependencies of *Friburgh*, and yielded to accept of 3 Villages only; whereas their Orders were not to do it till they were ſure of *Friburgh*, and that the *Imperialiſts* were ſo faſt, as to have no Pretence to go back.

But tho' this Point were over, I do not find any Expedient in View for the compoſing of the Affair of the Duke of *Lorain*, without whom, M. *Stradtſman* told me, the Emperor will not make his own Peace; nor is the Point of aſſiſting *Sweden*, any nearer an Adjuſtment than it was ſome Months ago, only the *Swediſh* Ambaſſadors have their Courier come back at laſt; what Facilities he brings, I cannot yet learn; M. *d'Olivenkrantz* was ſomewhat cloſe to me upon that Subject laſt Night, all he ſaid was, that the adjuſting of that great Article depended upon that which *France* ſhould be willing to act, and ſhould be able to ſtipulate by its Treaty with the Emperor, in Order to the Aſſiſtance of *Sweden*; meaning (as I underſtood him) that they, the *Swedes*, would lie upon the Reſerve, and keep it in their own Choice, to accept or refuſe the Conditions and Meaſures the *French* Ambaſſadors ſhould be ready to enter into with the *Imperialiſts*, for the reſtoring of *Sweden*.

He ſays, they can by no Means accept, nor endure that *France* do take upon it the Mediation, as 'tis propoſed by the *Imperialiſts* in their *Contre*-Project, leaſt *Sweden* be thought to have thereby diſpenſed with the *French* from purſuing the Re-eſtabliſhment of that Crown by the Way of Arms; and leaſt they ſhould enter into Concert with the Emperor, *Spain*, and thoſe States, to impoſe Conditions upon *Sweden* (which the *Contre*-Project ſeems to point at) without making the Concurrence or Approbation of *Sweden* in any Degree requiſite to the concerting of ſuch Conditions.

He ſays further, that they, the *Swedes*, are not to ſuffer any ſuch Suppoſal to enter into their Treaty, *as that the Treaties of* Weſtphalia *may receive ſome Alteration in them for Peace Sake*; for if they once yield to ſuch a Suppoſal, the Allies in the *North* will combine more ſtrongly to have ſome of the *Swediſh* Territories transferr'd to them, and contend that that Suppoſal was agreed on, to make the Way more eaſy to ſuch a Transference.

But 'tis a Wonder the *Swedes* can be ſo unconcern'd in the general, as to haſten their Peace with the Emperor no more than they have done of late, there being ſo little to hope for from the Poſture of their own Arms, and ſo little of Certainty, that the Operations of the Arms of *France* will be directed principally to their Advantage, I mean, to their ſpeedy Reſtitution.

And there is as little Likelihood of their coming to a ſpeedy Concluſion with the *Dutch* upon their Treaties of Peace and Commerce. I was on *Friday* upon my Offices with the *Dutch* Ambaſſadors, being charged with a compleat Treaty of Commerce from the *Swedes*, conſiſting of 73 long Articles, which I ſhall not be able to ſend you till the next, when 'tis poſſible I may have the Remarks of the *Dutch* Ambaſſadors; if ſo, I ſhall be able to ſend you by Way of Apoſtils, wherein the *Dutch* will have releaſed themſelves of thoſe Grievances that are common to us and them, I mean thoſe 10 Grievances you gave in to M. *d'Olivenkrantz* while on that Side, and that you were pleaſed to ſend me in *September* laſt, which, upon this Occaſion, I have now before me.

One

One Thing I was forced to mingle with my Offices upon this Project, in which his Majeſty hath an Intereſt, it is in the 22*th* Article, wherein 'tis determined how long free Goods taken in the Ship of a Neighbour become unfree, after the declaring of a War between him and either of the Parties; it is ſaid, — *in aliquo portu vel loco maris Baltici aut Borealis intra terminum vel locum the Soundings vocatum & terminum qui Terneuſe dicitur in Norvegia.* I deſired M. *Beverning*, who drew up theſe Articles, to look how it is in the Treaty between his Majeſty and the States. In the Treaty of *Breda*, there is an expreſs Difference between *fretum Britannicum & Mare Boreale*, but in no Map or Writer is all that Tract of Sea between thoſe two Boundaries called *Mare Boreale*, but *hoc Ithacus velit.* To this Obſervation the *Dutch* Ambaſſadors did not anſwer one Word: But as to any nearer Approaches between them and the *Swedes*, there is yet no Appearance; they ſeem both of them immoveably fixt upon different Tariffs, and upon ſeveral other Points of Moment. I am, *&c.*

L. Jenkins.

Nimeguen, 19th Dec. 1678.

Right Honourable Sir,

My laſt was of the 16*th*, ſince which I received the Favour of yours of the 6*th* Current. I have already been with M. *Heugh*, to deliver the Complement which his Majeſty hath commanded, and he took this Return very kindly.

We are now getting another Way of Negotiating all upon the ſudden. I gave you an Account in my laſt, how the *French*, in their Anſwer to the *Imperialiſts*, had declared, they would keep *Friburgh*, and not *Philipsburgh*; beſides, they would then enter into the Conferences deſired by the *Imperialiſts*, when they ſhould have that confirmed unto them, which the *Imperialiſts* had once agreed to.

On *Tueſday* the *Imperialiſts* brought me ſeveral Articles for the quitting of *Friburgh*, and the retaining of *Philipsburgh*, which they deſired me to put into the Hands of the *French*, as part of their Contre-project; deſiring me at the ſame Time to demand Conferences of them: This I did forthwith, and the *French* unexpectedly accepted the Offer of Conferences, reſerving to themſelves to ſpeak to thoſe Articles about *Friburgh* at thoſe Conferences, but not mentioning to have further Satisfaction in the Points of *Lorain* and *Sweden*, which were Things they had formerly alledged as neceſſary to be adjuſted before they ſhould come to Conferences. They told me at the ſame Time, that they had conſidered of the Stadthouſe as a convenient Place for them and their Allies, and therefore deſired me to ſpeak to the Magiſtrates to get them furniſhed; and to that End, to call to the *Dutch* Ambaſſadors, for the better quickening of them.

This the *Imperialiſts* liked of very well, only ſaid, they would have been very well content to have had the Conferences in my Houſe; and the other Mediator now declining to have any Publick Part in the Negotiation, they could not chooſe, they ſaid, but deſire, that my Houſe might be the Place.

This Morning we met at the Stadthouſe at 10; the *French* began with their Preface altered, as you'll find it incloſed, if it be poſſible to get it tranſcribed before the Poſt goes, I having been forced to leave it in the Hands of the *Imperialiſts*, and demanded likewiſe the Admiſſion of the Sieur *Ducker*.

The

both Sides being ſomewhat rough at this Time; the *Imperialiſts*, becauſe they cannot have *Friburgh* back again for ſuch an Equivalent as M. *Colbert* did ſome Months ago prize very much above *Friburgh*; and the *French*, for having opened themſelves too freely about the Dependencies of *Friburgh*, and yielded to accept of 3 Villages only; whereas their Orders were not to do it till they were ſure of *Friburgh*, and that the *Imperialiſts* were ſo faſt, as to have no Pretence to go back.

But tho' this Point were over, I do not find any Expedient in View for the compoſing of the Affair of the Duke of *Lorain*, without whom, M. *Stradtſman* told me, the Emperor will not make his own Peace; nor is the Point of aſſiſting *Sweden*, any nearer an Adjuſtment than it was ſome Months ago, only the *Swediſh* Ambaſſadors have their Courier come back at laſt; what Facilities he brings, I cannot yet learn; M. *d'Olivenkrantz* was ſomewhat cloſe to me upon that Subject laſt Night, all he ſaid was, that the adjuſting of that great Article depended upon that which *France* ſhould be willing to act, and ſhould be able to ſtipulate by its Treaty with the Emperor, in Order to the Aſſiſtance of *Sweden*; meaning (as I underſtood him) that they, the *Swedes*, would lie upon the Reſerve, and keep it in their own Choice, to accept or refuſe the Conditions and Meaſures the *French* Ambaſſadors ſhould be ready to enter into with the *Imperialiſts*, for the reſtoring of *Sweden*.

He ſays, they can by no Means accept, nor endure that *France* do take upon it the Mediation, as 'tis propoſed by the *Imperialiſts* in their *Contre*-Project, leaſt *Sweden* be thought to have thereby diſpenſed with the *French* from purſuing the Re-eſtabliſhment of that Crown by the Way of Arms; and leaſt they ſhould enter into Concert with the Emperor, *Spain*, and thoſe States, to impoſe Conditions upon *Sweden* (which the *Contre*-Project ſeems to point at) without making the Concurrence or Approbation of *Sweden* in any Degree requiſite to the concerting of ſuch Conditions.

He ſays further, that they, the *Swedes*, are not to ſuffer any ſuch Suppoſal to enter into their Treaty, *as that the Treaties of* Weſtphalia *may receive ſome Alteration in them for Peace Sake*; for if they once yield to ſuch a Suppoſal, the Allies in the *North* will combine more ſtrongly to have ſome of the *Swediſh* Territories transferr'd to them, and contend that that Suppoſal was agreed on, to make the Way more eaſy to ſuch a Transference.

But 'tis a Wonder the *Swedes* can be ſo unconcern'd in the general, as to haſten their Peace with the Emperor no more than they have done of late, there being ſo little to hope for from the Poſture of their own Arms, and ſo little of Certainty, that the Operations of the Arms of *France* will be directed principally to their Advantage, I mean, to their ſpeedy Reſtitution.

And there is as little Likelihood of their coming to a ſpeedy Concluſion with the *Dutch* upon their Treaties of Peace and Commerce. I was on *Friday* upon my Offices with the *Dutch* Ambaſſadors, being charged with a compleat Treaty of Commerce from the *Swedes*, conſiſting of 73 long Articles, which I ſhall not be able to ſend you till the next, when 'tis poſſible I may have the Remarks of the *Dutch* Ambaſſadors; if ſo, I ſhall be able to ſend you by Way of Apoſtils, wherein the *Dutch* will have releaſed themſelves of thoſe Grievances that are common to us and them, I mean thoſe 10 Grievances you gave in to M. *d'Olivenkrantz* while on that Side, and that you were pleaſed to ſend me in *September* laſt, which, upon this Occaſion, I have now before me.

One

One Thing I was forced to mingle with my Offices upon this Project, in which his Majeſty hath an Intereſt, it is in the 22*th* Article, wherein 'tis determined how long free Goods taken in the Ship of a Neighbour become unfree, after the declaring of a War between him and either of the Parties; it is ſaid, — *in aliquo portu vel loco maris Baltici aut Borealis intra terminum vel locum the Soundings vocatum & terminum qui Terneuſe dicitur in Norvegia.* I deſired M. *Beverning*, who drew up theſe Articles, to look how it is in the Treaty between his Majeſty and the States. In the Treaty of *Breda*, there is an expreſs Difference between *fretum Britannicum & Mare Boreale*, but in no Map or Writer is all that Tract of Sea between thoſe two Boundaries called *Mare Boreale*, but *hoc Ithacus velit.* To this Obſervation the *Dutch* Ambaſſadors did not anſwer one Word: But as to any nearer Approaches between them and the *Swedes*, there is yet no Appearance; they ſeem both of them immoveably fixt upon different Tariffs, and upon ſeveral other Points of Moment. I am, *&c.*

L. Jenkins.

Nimeguen, 19th Dec. 1678.

Right Honourable Sir,

My laſt was of the 16*th*, ſince which I received the Favour of yours of the *6th* Current. I have already been with M. *Heugh*, to deliver the Complement which his Majeſty hath commanded, and he took this Return very kindly.

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This the *Imperialiſts* liked of very well, only ſaid, they would have been very well content to have had the Conferences in my Houſe; and the other Mediator now declining to have any Publick Part in the Negotiation, they could not chooſe, they ſaid, but deſire, that my Houſe might be the Place.

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The

THE *Swedes* began with 3 Articles. I propoſed all to the *Imperialiſts* in their Room, but have not a Word of Anſwer from them: The Reaſon is, a ſtrange unexpected Incident, which, for ought I ſee, will break the Congreſs as ſoon as it is begun. For M. *Heugh* and M. *Blaſpiel* rendred themſelves at the Appartment which the *Imperialiſts* had, at the Hour of 10 and 11, before they came; and it did much amaze the *Imperialiſts*, when it was told them, that thoſe two Ambaſſadors intended to be preſent at every Thing that ſhould paſs relating to the Intereſts of their Maſters. The *Imperialiſts* laboured all they could to have them withdraw, but they would not; and they were preſent, and took Notes, all the while I was giving them an Account of what the *French* deſired. The *Imperialiſts* would by all Means have broke up the Meeting, and not come in the Afternoon; 'twas with much ado I prevailed with them to come again at 4. I am now going to the *Dutch*, to ſee if there be any Means to ſatisfie M. *Heugh* and *Blaſpiel*; their Pretence is high; they will be admitted to all Conferences of their Allies, or elſe they will forthwith leave *Nimeguen*. If this Incident ſhould be over, yet I have nothing to lay before you by way of Conjecture, what the Iſſue of theſe Conferences will be.

I pray favour me with his Majeſty's Pleaſure upon the Preface, whether he would have any Thing added or altered, and what. I am, *&c.*

L. Jenkins.

Nimeguen, 23*d Dec.* 1678.

Right Honourable SIR,

I Muſt beg your Reſpite, till I am able to ſend you (which, I hope, will be within a few Days) ſome Account of what paſſes in our Conferences here; the *French* Ambaſſadors have declared (but too plainly) this Morning, that they can come to no eaſier Terms about *Lorain*; only they will leave the Nomination of the Biſhoprick of *Toul* to that Duke, if the Court of *Rome* will give it him. Upon the *Swediſh* Articles, they have declared themſelves in general Terms only. I am, *&c.*

L. Jenkins.

Nimeguen, 26*th Dec.* 1678.

Right Honourable SIR,

MY laſt was of the 23*d* paſt, I have no Time to add any Thing but the Journal incloſed.

THE *French* Ambaſſadors came at 3, to denounce to me, that the King their Maſter hath conſented to prolong the Term for 15 Days, that is, to the 15 of *January*, *N. S.* that Term being expired, he pretends to be tied no longer to the Conditions in *April* laſt, and that it cannot ſuit with his Honour to ſuffer his Ambaſſadors to ſtay here any longer. This will ſtrike a Damp upon all our Conferences. I have ſpent this Morning till two with the *Imperialiſts*. I am to meet again at 5, to have from them what Facilities they can upon the great Articles of *Lorain* and the *North*. If the Emperor will abandon the Duke of *Lorain*, I think the Peace may be made in the remaining 10 Days. I am going to the *Dutch* Ambaſſadors, to acquaint them with this News, which will be very ſad and unwelcome to them, as well as to all here. I am, *&c.*

L. Jenkins.

A Journal

A Journal of the Conferences, 19 *th* of *December*, 1678, at the Stadthouſe.

THE Hour of 10 being agreed over Night for the Conferences, the *French* Ambaſſadors were the firſt that came, the *Swede* next, and laſt of all the *Imperialiſts*. I did the Honours of the Houſe to each Embaſſy, receiving them at the reſpective outward Door, and conducting them to their ſeveral Appartments.

M. *Kinski* being the firſt that came of the *Imperialiſts*, M. *Heugh* and *Blaſpiel*, the *Daniſh* and *Brandenburgh* Ambaſſadors, preſented themſelves, and went into the Appartment of the *Imperialiſts*; M. *Gurck* and *Stradtſman* came cloſe upon them, but were exceedingly ſurprized to find them there. I left them expoſtulating with one another: The *Imperial* Embaſſy urging, that that Appartment, and the Buſineſs of the Day, did belong eſpecially to them; the others finding Fault, that they were not invited to it, as to a Place, and to Conferences, that they had a common Intereſt in.

FROM them I went to the *French* Ambaſſadors, and they agreeing to go on upon the Contre-project of the *Imperialiſts*, they gave me their own Project for a Preface, there being no Preface given in by the *Imperialiſts*; they ſaid, they had endeavoured to ſatisfie what I had taken Notice of to them in his Majeſty's Behalf; having in this Preface mentioned expreſly, 1. The King's Mediation. 2. The continuing of his Offices from the Beginning to this Time. And, 3. The naming of his Miniſters; leaving it to the *Imperialiſts*, if they ſhould think fit, to expreſs any Thing further of Reſpect to his Majeſty, or to expreſs it in any other Way.

AFTER the Preface, they took the 1*ſt* Article in Hand, and excepted againſt the Names or Stiles of the Parties made to intervene as Principals in this Treaty.

WHERE it is ſaid by the *Imperialiſts*, *inter S. C. Majeſtatem & Imperium*, they would have it *inter S. C. Majeſtatem, & ſuos in Imperio fœderatos*. They would not, they ſaid, engage the King their Maſter (as he would be by the ſigning of this Treaty) to keep the Peace towards the Empire, and the Emperor not engaged in the ſame Manner to keep the Peace toward him.

FOR the *Imperial* Ambaſſadors, their Power being only to Treat for the Emperor, they could not engage the Empire; and tho' they ſhould promiſe to do it, and ſign in the Name of the Empire, the Dyet at *Ratisbon* would not be obliged to ratifie it; and tho' the *Imperialiſts* ſhould promiſe a Ratification from the Dyet, yet, according to the ordinary Method and Delays of thoſe Aſſemblies, there would be ſeveral Ways to defeat the ratifying of it; ſome pretending not to be inſtructed, others, eſpecially the Allies of the Princes of the *North*, utterly oppoſing it; ſo that this Treaty would be wholly illuſory; and the main Buſineſs which they, the *French*, aim at, being the Reſtitution of *Sweden*, the Emperor as well as the Empire would be left to an After-game, and the Advantage of this Campaign may be wholly loſt, and an Army of 200,000 Men kept on Foot to no Effect.

THEY excepted likewiſe againſt the naming of the Catholick King, in the ſame Article as a Party principal; ſaying, that *France* hath made a Peace with that King, which they will religiouſly obſerve; and there-

fore that they do not ſee to what End that King ſhould be made a Party to this Peace, ſince they will be at Liberty to take him in as an Ally, in the Article that ſhall be in the End for the Incluſion of Allies.

THEY excepted againſt the Words *totamq; Domum Auſtriacam*; they knew none that are of that Houſe, they ſaid, but the Emperor and the King of *Spain*; and they have more Reaſon to ſay, *la Tres Auguſte Maiſon de Bourbon*, if they would ſtand upon ſuch Flouriſhes.

THE 2*d* Article being about the Amneſty, they had nothing to oppoſe to it, as far as it is taken Word for Word out of the Treaty of *Munſter*, but their being a Clauſe in it, that the Moſt Chriſtian King ſhall compound with the Princes of the Empire, for the Damages his Armies have done them, they could by no Means paſs that, their King having a more juſtifiable Plea to demand Reparation for himſelf, to the Value of 500 Millions, expended in this War.

THE 3*d* Article of Neutrality was, they ſaid, ſuperfluous, as far as it agrees with the like Article in the Treaty of *Munſter*, ſince both Sides intended to give that Treaty its perfect Force and Vigour again; but there being in it ſeveral Words and Clauſes that are too general and ambiguous, as *Subditis vel vaſſallis*, &c. *commotionem vel defectionem*, &c. they deſired there might be no ſuch Word or Expreſſion, ſince ſuch Conſequences as are not yet thought of, may hereafter be drawn from thoſe Words; at leaſt the Words will ſeem to faſten a Suſpicion upon *France*.

THE 4*th* Article is, for the re-eſtabliſhing the Treaty of *Munſter*, which they allow as neceſſary to be done; and therefore offer, that either the whole Treaty of *Munſter* may be tranſcribed Word for Word, and inſerted in the Body of this Treaty of *Nimeguen*, or elſe that there be no Article of it repeated (ſaving that of the Amneſty only); but that a firm Clauſe or Article be drawn up and agreed, to eſtabliſh it in all its Points: To that Purpoſe they put into my Hand a Project of one Article, wherein the 1*ſt* and the 4*th* of the *Imperialiſts* were abridged; the 3*d* was left out, to be reſerved and inſerted, but with Alteration, in a more proper Place of the Treaty; the 2*d* being that of the Amneſty, they ſet down at large, it being neceſſary to do ſo, which way ſoever ſhould be choſen to reſtore the Treaty of *Munſter*; for ſince the Article of Amneſty in that Treaty does not look forward, 'tis neceſſary that an Amneſty here ſhould be made to look backward to the Beginning of the War.

BEING thus charged by the *French* Ambaſſadors with the Preface, and the Remarks upon the four firſt Articles of the *Imperial* Contre-project, as alſo with a Project to reduce thoſe four into one Article of their own; I went to the *Swedes*, and they charged me with the Exception they took to the three firſt Articles in the Contre-project, that the *Imperialiſts* had given in to their Project.

IN the 1*ſt* Article they could not be ſatisfied, they ſaid, with the Stile of *Romanum Imperium*, till they ſaw a ſufficient Power from the Empire, as they acknowledged that from the Emperor to his Ambaſſadors to be.

THE 2*d* Article of the Amneſty they agreed to as the *Imperialiſts* had projected it.

THE 3*d* Article, for the reſtoring of the Treaty of *Oſnaburgh*, is ſhort in the Expreſſions they would have; and it being the main of their Buſineſs to have the Eſtabliſhment of that Treaty agreed, before they paſs on to any Thing elſe, they could not but adhere to the Article as they had projected it; it is the 2*d* in the Project, for the full Reſtitution of the Treaty of *Munſter* in all its Articles.

BEING

Being thus charged by both theſe Ambaſſadors, I went to the *Imperialiſts*, but found them engaged in the Incident abovementioned, between them and M. *Heugh* and *Blaſpeil*, which was thus: I went on and opened to them all that the *French* Ambaſſadors had ſaid upon the four firſt Articles of their Contre-project; they took Notes of what I ſaid, ſo did M. *Heugh* and *Blaſpiel*; all that the *Imperialiſts* then anſwered was, they would take Time to conſider, and give me their Anſwer, which I expected to have had in the Afternoon; but ſo it happened, that the greateſt Part of that Afternoon was ſpent in reconciling them with the *Daniſh* and *Brandenburgh* Ambaſſadors.

The *Daniſh* and *Brandenburgh* Ambaſſadors were at laſt content to retreat to a Chamber apart, which was hung and prepared for them that Night; it was the Anti-chamber to the *Imperialiſts*, but there was another Door found for them to go in and out at. The *Imperialiſts*, on their Side, promiſed to communicate with them according to the Obligation they were under by their Alliance.

When the *Imperialiſts* were thus diſcharged of the *Daniſh* and *Brandenburgh* Ambaſſadors, I laid before them the Objections that the *Swedes* had made to the three firſt Articles; they took Time to conſider of them till next Morning: So having taken a Promiſe from them to meet on *Friday* the 20*th*, the Aſſembly broke up; I having firſt acquainted the *French* and *Swede* Ambaſſadors, that I had not that Night any Return to thoſe Objections, by reaſon the Incident between the *Imperialiſts* and their Allies had taken up all our Time.

But this Day being the firſt Day of the Conference, and the laſt Day ſave one of this Month, *N. S.* beyond which the *French* had declared in Writing, and proteſted in Print, that the King their Maſter would not be tied to the Conditions of Peace he had offered in *April* laſt; I did (*ex officio*) deſire that no Advantage might be taken of that Declaration, and that our being entered thus into Conference, ſhould be underſtood to ſuſpend the Effects of it; wherefore I did requeſt them to ſecure for us a longer Term for our Conference, by reaſon of the Intricacy and Multiplicity of Matters before us: M. *Colbert* took this to be done at the Suggeſtion and Requeſt of the *Imperialiſts*; but I told him, they never deſired any ſuch Thing of me, nor made any mention of it: They did not only not grant me any Thing upon this Point, but refuſed to write to their Court upon this Motion of mine. They ſaid, they had already writ to deſire that 8 or 10 Days might break no Squares, in caſe the *Imperialiſts* ſhould come to a cloſe by that Time; but they durſt not write to have the Term prolong'd, for that 15 Days would be run out, before their Court could ſend them an Anſwer hither; and that they could not hope for any Term beyond that, nor for ſo much Reſpite, in caſe there ſhould be no Certainty of a Peace.

This Motion *ex officio*, I had thought on as ſoon as the Conference were agreed to, but I had reſolved to let it alone upon that Conſideration, that the very accepting of the Conference, was in itſelf a ſuſpending of the *French* Menace, and would put them to a new Declaration. But when the *Dutch* Ambaſſadors came, by Order of the States, to requeſt me to propoſe a longer Term, I thought ſafeſt to do it; they did it on the other Side, and, as they told me that Night, ſucceeded no better than I did; all that they could get from the *French* being, that they would not break off the Conference, till they had Orders ſo to do.

Friday, 20th *December*, at 9.

TO the Preface of the *French* Ambaſſadors, and to their Project of one Article, in lieu of the firſt four that are in the *Contre*-Project of the *Imperialiſts*; they, the *Imperialiſts*, anſwered, that they accept of the one and the other, and having had them over Night, they gave both the one and the other to me, tranſlated into *Latin*, ſince that was to be the Language of the Treaty; obſerving to me, how they had taken the Liberty of putting in a Word or two, for the better acknowledging of what his Majeſty had done.

HEREUPON I took Occaſion to tell them, that his Majeſty having an Intereſt in the Preface, I did deſire and reſerve to myſelf a Liberty to offer unto them Alterations, if his Majeſty deſired any ſhould be made in it, and ſo that I might not be concluded by their agreeing to that of the *French*; which they allowed of.

AS to the Project, they deſired, that in lieu of theſe Words — *Comme auſſi entre tous lez Alliez & adherans de S. M. Imp. dans l'Empire*, it ſhould be ſaid, *Inter S. C. M. & Imperium.* For theſe Reaſons.

HERE I muſt take leave to put down their Anſwer in *Latin*, for they are pleaſed to bring their Reaſons and Arguments ready penn'd in *Latin*, and ſo keep me to their preciſe Words, which they dictate, and I ſet down in Writing; beſides that, they manage the Conference itſelf in *Latin*.

1. *Imperator non poteſt ſeparari ab Imperio.*

2. *In Conditionibus à Rege Chriſtianiſſimo* 15 *Aprilis* 1678. *propoſitis de Pace cum Imperio pariter atque Imperatore ineunda decernitur; in Declarationibus etiam à Legatione Gallica* 23 *&* 30 *Octob. ut &* 30 *Novemb. ratio habetur Imperii tanquam partis quæ in hoc Tractatu paciſcentis locum habere debet.*

3. *Quando actum fuit non ita pridem Ratisbonæ num Deputati aliquot S. R. Imperii huc Noviomagum delegandi forent, eo tandem deventum eſt, ut ex concluſo Generali Dietæ rogaretur Imperator, uti per ſuam Legationem hic ſubſiſtentem res Imperii agi curaret, & ut de iis quæ acta hic forent communicaretur cum Imperio uti fit.*

4. *Legatio Cæſarea ſpondere parata eſt, ſe Ratificationem ex parte Imperii intra octo Septimanas exhibituram eſſe — uti patet ex Projecto.*

5. *Suggeri poteſt Legatio Suecica plurimum intereſſe Coronæ illius ut Pax cudatur cum Imperio iſto nomine debeantur ergo illa* — Entre tous les Alliez & adherens de S. M. Imp. dans l'Empire.

Verba iſta dans l'Empire *deteri poſtulat Legatio Cæſarea ſed talia quibus inſiſtere apud Legationem Gallicam operæ pretium non duxit.*

Cum omiſſiſſet Legatio Gallica Domum Auſtriacam in Projecto ſuo, reſtitui debere contendit Cæſarea ex antiquo ſtylo etiam in Tractatibus Weſtphalicis firmato; omiſſerat Legatio Gallica in eodem Articulo Clauſulam ratione damnorum tamen & deleri debere contendit: reponunt Cæſarea iſtam Clauſulam non ſolum ſummæ æquitati initi, ſed etiam Reſolutioni in Aula Suecica Miniſtro Cæſareo communicatæ 13 *Decemb.* 1673. *conformem eſſe; — impreſſa eſt hæc reſolutio apud Brewerum ſubjunxerunt Cæſarei clauſam* Gaudeantque *ad calcem Art. de* Amneſtia, *quippe quam tranſumpſerant mutatis mutandis ex Tract. Monaſterienſi.*

THESE Remarks of the *Imperialiſts* upon the Preface and *French* Project, of one Article in lieu of four, I communicated to the *French* Ambaſſadors at 11. As to his Majeſty's Part in the Preface, they allow'd of the little Amplification the *Imperialiſts* had made; and that I

was

was not to be concluded by their Agreement; but that I might offer any Alteration his Majeſty ſhould think fit.

THEN they gave me the Preface in *Latin* of their own, or rather Word for Word out of the Treaty of *Munſter*; giving his Majeſty and his Miniſters here, no more than the Republick of *Venice* and her's hath in that Treaty; but in this Preface, there was a Clauſe touching the Elector of *Bavaria*'s Mediatory Offices; their Deſire was, that the *Imperialiſts* would admit it to be part of the Treaty, and *accordé des à preſent*: But in Caſe the Emperor ſhould not, before the Time of ſigning, give his Ambaſſadors Orders to paſs it as now it is, they were content it ſhould be left out when the Treaty was ſigned: Theſe were the Directions they had, they ſaid, from Cardinal *d'Eſtreés*.

AS to the Article that was to be the firſt in the Peace, in lieu of the 4 firſt in the *Imperial* Contre-Project, they deſired it might paſs as they had projected it, and it was with very much ado they were brought to go on further, ſaving to themſelves their Exceptions,

1. AGAINST the Word *Imperium*.
2. AGAINST the Words *Domum Auſtriacam*.
3. AGAINST the Clauſe *Gaudeantque*. And,
4. THEIR Reaſons againſt changing the Word *dans l'Empire*, into theſe, *in hac Pace comprehenſos*.

FOR the firſt, they ſaid, they deſired nothing more than to treat with the Empire, but then they require ſufficient Powers in thoſe that ſhall treat with them in the Name of the Empire; the Powers that the *Imperial* Ambaſſadors have, being to treat for the Emperor only.

2. THAT they cannot allow of that Maxim, that the Emperor and Empire are inſeparable; the Emperor may do Things ſeparately from the Empire, the Experience of Times paſt hath ſhewed it, and the League of the *Rhine* was made to prevent it.

3. THEY allow, that in the Conditions of *April*, and the Declarations abovecited, they had in View the making of a Peace with the Empire, but not with theſe Ambaſſadors acting in the Name of the Empire, without Orders ſo to do.

4. THE *Concluſum* of the Empire above pretended, is not ſufficient to that Effect; however, why is it not exhibited? they are informed there was never any ſuch *Concluſum* paſt.

5. THE Offer made to procure the Ratification of the Empire is not ſufficient; the Empire may refuſe it, having never engaged by *Pleni-pouvoir* to furniſh any: And the Princes of the *North* will do what they can to obſtruct it. In the mean while, what will become of *Sweden*, that is declared by the Empire to be *Echeüe de tous ſes Droitz?* Since here will be the Name only of the Empire uſed, but no Act nor Power from it to reſtore it again from the Words. As to the *Domum Auſtriacam*, and *Dans l'Empire*; the Reaſoning was the ſame as above.

AS to the Clauſe *Gaudeantque*, they added only this to what they had ſaid before, to wit, if there were need of any ſuch Clauſe or Article, for a Cover to particular Perſons, or a Help in difficult Caſes, they would conſent to it in the proper Place, where particular Perſons, and Caſes, will come in toward the End of the Treaty.

HAVING yeſterday propoſed, as is above, 3 Articles from the *Swedes* to the *Imperialiſts*, I had much ado to get any Anſwer from them, they would needs put me off till they had made ſome good Progreſs, if not concluded with the *French*. At laſt they inſiſted, that the ſame Name and Stile of the Party contracting with *Sweden*, viz. *S. C. M. & Imperium* ſhould ſtand, — for the ſame Reaſons given me towards the *French*, for the

the *Swediſh* Ambaſſadors had declared to, they deſired a Peace with the Empire as well as the Emperor; and therefore it was neceſſary to make the Empire a Party Principal contracting.

As the *French* had the Words *dans l'Empire*, ſo the *Swedes* had *in Imperio*, theſe Words the *Imperialiſts* deſired might be ſtruck out, and the Words *hac Pace comprehenſos* put in their Stead.

The 2*d* Article being that of the *Amneſty*, and the ſame in both Projects, they confeſſed to agree.

As to the 3*d* Article, which is for the eſtabliſhing of the *Oſnaburgh* Treaty, the *Imperialiſts* did adhere to the *Contre*-Project, and that it was in vain, they ſaid, to contend about the Words for the re-eſtabliſhing it, till the Means and Meaſures for the reſtoring of *Sweden* ſhould be agreed between them, the *Imperialiſts*, and the *French* Ambaſſadors; therefore it was their Opinion and Deſire, not to ſpend any farther Time or Pains in debating the *Swediſh* Project, till they ſee more clearly what was like to be the Iſſue between them and *France*; only they offered the *Swedes*, if they pleas'd, that the *French* Project of one Article ſhould ſtand in lieu of the three projected betweeen them and the *Swedes*.

I went ſtrait and communicated this to the *Swediſh* Ambaſſadors, their Anſwer was,

Firſt, That their Orders were expreſs, and their Intereſt moſt important, to make a Peace with the Empire, as well as with the Emperor: But that they could not do it, if the Empire did not legally and fully intervene as a Party Principal; and that that could not be without a *Plenipouvoir* in the uſual Form. What I told them of the *Concluſum* of the Empire as above, they deſired to have a Copy of the *Concluſum*, before they could anſwer upon it.

As to the Offer made them of the *French* Article in lieu of their three, they could not accept of it, it did not comprehend their Buſineſs as they deſired it, and however the *Imperialiſts* and the *French* may be agreed, (as they are) by what Words the Treaty of *Munſter* is to ſtand reſtored between them, yet they, the *Swedes*, cannot go leſs than the Words they have projected, for the reſtoring of the *Oſnaburgh* Treaty between them and the Emperor, it being the Hinge upon which all their Affairs turns.

As to the *Overture* of the *Imperialiſts*, that the *Swedes* ſhould ſuffer them to make ſome Progreſs, and agree of the Means and Meaſures for the reſtoring of *Sweden*, before the Debates between the *Swedes* and the *Imperialiſts* be brought further on, they muſt oppoſe that Method; they cannot give Way that the *French* ſhall agree to any Means or Meaſures for their Reſtitution, unleſs this Point be firſt agreed, of reſtoring the Treaty of *Oſnaburgh* to its full Vigour in all its Points. But as to the adjourning of the Debate, how the Empire can come in as a Party to their Treaty, they were content to let it lie ſtill for the preſent, as the *French* had done, and to go on in their Articles.

After which, the Aſſembly broke up at 2, and met again at 4.

THE reſt of the Conferences being chiefly about Words, and particular Expreſſions, or ſome other Niceties, which were not received into the Treaties, and the Subſtance of them ſufficiently mentioned in the Letters themſelves, are here purpoſely diſcontinu'd; and 'tis hoped, this Specimen is enough to ſhow the Nature and Fatigue of them, as well as the great Abilities of the Perſon that managed them.

Nime-

Nimeguen, 30*th Dec.* 1678.

Right Honourable Sir,

I Have now the Favour of yours of the 10*th*, 17*th*, and 24*th*, (which came in a Manner together) to acknowledge.

What you are pleaſed to direct in that of the 10*th*, in order to the relieving ourſelves from the Grievances given our Trade in *Swedeland*, I have not yet had Time to put to M. *d'Olivenkrantz*, he, as well as others, being at this Time in perpetual Hurry and Application to the Buſineſs of our Conference, but hope to give you an Account of the Powers he may have relating to our Commerce by the next.

When the Miniſter of *Cologn* comes to Town, I ſhall let him know the Protection his Majeſty is pleaſed to afford to that City.

I have done all Offices for the Prince of *Salme* that lie in my Power, both with the *French* to ſupport, and with the *Imperialiſts* to admit his Pretenſions; the Thing will depend upon the Firmneſs of the *French* to that Prince, for if they ſlacken, my Offices will be at an End; but pray be pleaſed to aſſure his Highneſs Prince *Rupert*, that I have all Care poſſible of the Prince's Buſineſs, and that I hope his Agent, whom I direct upon all Occaſions the beſt I can, will ſay as much.

What you are pleaſed to direct in that of the 17*th*, I performed immediately with the *Dutch* Ambaſſadors, as by his Majeſty's Command, offering to join with them in any Expedient or Temperament they ſhould ſuggeſt, in order to promote the Peace; deſiring withal the Favour of their Reflexions or Advice upon all Occaſions. I have lived with them, before the Receipt of your Letter, in that Confidence that I thought became me, conſidering the common Intereſts, as well as the preſent ſtrict Alliance of his Majeſty with the States. I communicated with them twice a Day what paſs'd in the Conferences, unleſs when it happened to be too late at Night (the *Imperialiſts* ſometimes continuing at the Stadthouſe till 2 or 3 in the Morning). I could not give them Copies of Papers, becauſe that was forbid me to do to any beſides the adverſe Parties.

This I take Leave to obſerve in their preſent Conduct, that if the Buſineſs go on well, and end in a Peace, they will be ſeen to have imployed their Offices (not as Mediators, but) as common Friends, and having the Confidence of both Parties; if Things prove otherwiſe, as the ſtrongeſt Appearances are at this Time for a Rupture, then they will keep off, and will ſay, and that truly too, I ſuppoſe, they can do nothing without Orders from their Maſters.

An Inſtance of this I have now before me; the *French* Ambaſſadors had in their firſt Project, as you'll find by the 33*d* Article of it, deſired no more but that *France* might be at a full Liberty to make War upon the Enemies of *Sweden*. On *Friday* laſt, they gave in an Article, which goes herewith incloſed, whereby they demand, that *France* may ſtand poſſeſſed of certain Poſts in the Empire, that ſhall be neceſſary for them to carry on the War in Favour of *Sweden*, till other fitter Means ſhall be agreed on by common Conſent, for the re-eſtabliſhing of the Peace of *Weſtphalia*; and that thoſe Poſts ſhall be named in a ſeparate Article.

This Demand of the *French* has changed the Face of the Conferences here, the *Imperialiſts* ſaying, they cannot poſſibly conſent to any ſuch Thing.

1. Be-

1. Because it is new, not being mentioned before either in the *French* or *Swediſh* Projects. 2. It has no Example, that the *Imperialiſts* ſhould aſſign Places in the Empire to a Stranger Force. 3. That if they pretended the Limitation of the Time to the 15*th* of *January N. S.* be kept to, it is impoſſible for them to know the Emperor's Mind within the Time. 4. That ſuppoſing the Emperor had this Propoſition before him, it would not be poſſible for him to determine any Thing upon it, ſince 'tis relative to a ſeparate Article, that ſhall contain the Names of the Places, which the *French* have not yet declared.

Upon this Incident, I was earneſt with the *Dutch* Ambaſſadors, to do their beſt with the *French*, to give ſome Eaſe in this Article, at leaſt to name the Places, and to give the *Imperialiſts* Time to conſult the Emperor upon them. This they would not charge themſelves withal, but looked upon it as a deſperate Thing; and therefore ſent a Courier to the *Hague*, to acquaint the States with it, and they expect no Anſwer till to Morrow; wherefore I take Leave to obſerve, that in Caſes that are difficult, and where the Danger is imminent, and there is more need of their Offices, they will do nothing without the poſitive Directions of the States.

The Conferences ſticking here, the *French* were brought laſt Night to name the Places they pretend to hold; that is, 1. *Hay*. 2. *Le Chaſſelet*, a little Place near *Liege*. 3. *Verveirs*. 4. *Aix la Chapelle*. 6. *Nuys*. 7. *Ordinghen*. Theſe Places I gave an Account of forthwith to the *Imperialiſts*, but left them laſt Night at 9, in a Reſolution not to yield them; their Obſervation was, that theſe Places are no way proper for the Ends pretended; the Reaſon of War ſhould have directed them to have made towards *Weſel*.

M. *Balbaſes* and M. *Beverning*'s Reflexions are, that thoſe Places are intended as a Barrier between the *French* and the *Low-Countries*, that the *Dutch* and *Flemings* may not come in the Rear of them; what the Reſolutions of the *Imperialiſts* will be this Morning I am going to attend.

Concerning *Lorain*, the *French* perſiſt in their firſt Rigours, without any Abatement; they will give no Eaſe to the High-ways demanded in Sovereignty, nor yield to any Expedient about *Nancy*; this being ſo, M. *Cannon* deſired me to propoſe, that he may chooſe again, and come to the other Alternative, which was the Conditions of the *Pyrenees*; this they refuſed peremptorily, ſaying, they muſt hold him to his firſt Choice, tho' he alledged that Choice was not abſolute, but conditional: Upon this Refuſal, I deſired he might have Time to write to his Maſter, to acquaint him, that both Alternatives were refuſed him; the firſt abſolutely, as not being made Choice of; the ſecond, as being interpreted with a Rigour, which the Letter of it will not bear; to this their Anſwer was, that they had no Power to give any longer Time than the 15*th*, *N. S.* and that if he made not his Peace by that Time, they muſt have the Duke named among the Enemies of *France*, (in the Article that goes herewith incloſed) that are not to be aſſiſted directly or indirectly by the Emperor.

I have no Time to ſend you the full Tranſcript of my Journal; all there is in it are minute Things, the Determination whereof will not hold, except we could come to Expedients or Temperaments in the Buſineſs of *Lorain* and the *North*. It is the general Opinion, that the *French* will have no Peace; yet the *Imperialiſts*, in the Condition their Maſter is in, are not like to refuſe them any Thing.

I am

I am deſired by M. *Balbaſes*, to ſend you the Account incloſed, of ſeveral Infractions already made by the *French* upon the Peace with *Spain*. I am, *&c.*

L. Jenkins.

Nimeguen, 2 d Jan. 1678-9.

Right Honourable Sir,

A New Incident coming in our Way, which is, that the Moſt Chriſtian King prolongs the Term for a Fortnight longer, that is, to the laſt of this Month, *N. S.* I reſerve myſelf to give you an Account of it by Expreſs, the Conferences not allowing me Time to write by this Poſt. I am, *&c.*

L. Jenkins.

Nimeguen, 2 d Jan. 1678.

Right Honourable Sir,

I Can give you no better Account of our Conferences, ſince my laſt of the 30*th*, but that we have been every Day at them, without coming any nearer to a cloſe in the two great Points of *Lorain* and the *North*.

For *Lorain*, the *French* will neither ſweeten any Thing in the Words, wherewith they have extended the 2 *d* Alternative, nor admit the *Lorain* Miniſter to make his Choice again, and take up the firſt; they tell me there is nothing to be done in it, in order to get any Eaſe, till after the Peace is made, that the Duke muſt do it himſelf, and they ſay it muſt be his own Fault, if Things do not then prove to his Mind.

The *Imperialiſts* in this Point can do nothing to make a Peace, without the Duke of *Lorain*; and with his Conſent it cannot be, for his Miniſter inſiſts either to have an eaſier Explication of the Second Alternative, or elſe to have the firſt as 'tis propoſed; but the *French* will grant him neither.

In the 2 *d* Point, concerning the *North*, the *French* gave in their *Ultimatum* by way of Article laſt Night, which goes herewith incloſed, wherein you'll find, that they demand Poſts for their Troops, and do name them, as in my laſt; all the Eaſe they offer is, that this Article ſhall remain ſecret, and that they will admit of any common Article for an Introduction to it, ſuch as the *Imperialiſts* ſhall be content with.

To this the *Imperialiſts* anſwer firſt, that the Propoſition is new, and that they cannot be inſtructed upon it within the Time fixed. 2. That the Biſhop of *Cologn* and *Liege*, who is Lord of thoſe Places, (except *Leumick*, which belongs to the Duke of *Newburgh*) may be treated with, who perhaps may be contented to yield them; but there is no Reaſon to bring the *Odium* of yielding them upon the Emperor. 3. That this Article, wherein ſeveral other Things are put that are extreamly harſh, but perfectly needleſs, cannot poſſibly be a Secret; and conſequently the Emperor will be loaded with the Odium of all: But all this I am apt to think the *Imperialiſts* will ſwallow, rather than continue the War, ſuppoſing there be no Way to ſalve Appearances in the Matter of *Lorain*. As ſoon as we come to a Criſis, (as the *French* ſay they will negotiate no longer than *Sunday* next, which is the laſt Day of their Term) I ſhall give you an Account by Expreſs what the Iſſue is; in the mean time, I find the *Dutch* Ambaſſadors are wary, not to give

any Hopes to the *Imperialiſts*, in that the States have ſent a Courier to their Ambaſſadors in *France*, upon this new Demand of the States, leaſt they ſhould, in Hopes of ſome Relief from that Side, defer to conclude, and to do their utmoſt before the Time be lapſed.

M. *d'Olivenkrantz* ſaith, he hath no Commiſſion to Treat here about our Commerce; he ſays, he ſent the 10 Points you gave him to his Maſter, who ſent them to be examined by his Senate at *Stockholm*; by the laſt Advices hither, the Reſolution of the Senate was not returned to their King; he thinks it improbable, that his Maſter will order thoſe Points to be Treated here, becauſe his Majeſty had expreſſed himſelf to him M. *d'Olivenkrantz*, that he deſired they ſhould be Treated at *London*.

HAVING gone thus far, I went to the Conferences, where I met with an Incident, that made me not commit this Letter to the Ordinary, but to ſtay and ſee how it would work, and then ſend you an Account of it by an Expreſs. The Incident was this: The *French* Ambaſſadors came to me at the Conference, to tell me that the King their Maſter had prolonged the Term, and would ſtand to his firſt Conditions till the laſt Day of this Month of *January*, *N. S.* that in caſe the *Imperialiſts* ſhould not conclude and ſign their Peace within that Time, he would pretend, as an additional Article, that the Emperor ſhould demoliſh *Philipsburgh*; and that if the *Imperialiſts* went on in a further Delay, and ſpent the whole Month of *February* without concluding, he would pretend to have the whole *Briſgaw* quitted to him with *Friburgh*.

THIS I immediately communicated to the *Imperialiſts*, and another Article to the *Danes* that concerns them, which is, that if the King of *Denmark* does not make a Peace with *Sweden* before the End of this Month, the Moſt Chriſtian King will be held no longer to the Conditions upon which he is now willing to make a Peace with *Denmark*. The Articles, as I took them from the Mouth of the *French* Ambaſſador, go herewith incloſed.

To this Reſpite of Time, the *Imperialiſts* anſwered nothing for the preſent, uſing a Word in *High-Dutch* that ſignified *reſpiting from hanging*; and that this was much the ſame, ſince nothing of Moderation in the Conditions did accompany it. I put into their Hands the *French Ultimatum*, as they pretend, to have it paſs'd in a ſecret Article, but had no Anſwer from them till late laſt Night, which is the *Latin* Article that goes incloſed.

IN it they come up to the Demand of the *French*, as to the naming of the Allies and the Neutrality, but they do not mention the Poſts, nor promiſe that the Emperor ſhall not ſuffer thoſe Princes that continue in the War, to have any Winter Quarters in the Empire, but keep them to their own Countries.

THESE Points the *French* have already inſiſted upon, and they are (as I am writing) in Deliberation with the *Swedes* upon that ſecret Article, as the *Imperialiſts* have projected it.

I am apt to think the *Imperialiſts* will at laſt come up in theſe two Points, that is, in aſſigning the Poſts, and in obliging the Emperor not to give any Winter Quarters. But when that is done, the Buſineſs of *Lorain* ſticks where it was; and if the *Imperialiſts* cannot yield that, they will not yield this of the Poſts and Winter Quarters, that the Treaty may break as well upon the Account of *Sweden* as of *Lorain*.

THE only Hopes now left to *Lorain* are, that the States Ambaſſadors in *France* (at whoſe Inſtance this Prolongation had been obtained) may likewiſe prevail for ſomething of Eaſe; for there is a Courier diſpatch'd from the *Hague* to *Paris*, with Inſtructions to that Effect, in Favour of *Lorain*.

WHAT

What to ſay further upon this Buſineſs, I know not; but I find the *French* Ambaſſadors have ſaid, that if this Prolongation had not come, the *Imperialiſts* would have concluded within the Time prefix'd: I am induced to believe that there may be ſomething in it, for that the *Imperialiſts*, when they negociate with me about the Article incloſed, relating to the *North*, came to my Chamber in the Stadthouſe, that they may ſo do it apart, whoſe Ambaſſador is otherwiſe always in their Chamber; for 'tis certain, he cannot conſent to ſuch a Peace; and if the *Imperialiſts* were of the Mind not to ſeparate from him, they would not be ſo complying towards the *French* about the Affairs of the *North*, nor treat of them ſo, as M. *Cannon* may know nothing of what they do. But I not being within their Confidence, conclude nothing certain of the final Event; however, this Incident, and the Menaces that are joyned with it, I think worth his Majeſty's Knowledge by Expreſs, in Caſe his Majeſty has any Offices to do at the Court of *France* for *Lorain*, or will pleaſe to command me any Thing here, for I am apt to think the *Imperialiſts* will ſpin out the Time that is left them, though, to my thinking, the Honour of their Maſter, and the Intereſt of the Empire, ſhould lead them not to delay, but to conclude ſuddenly, if they can. I am, *&c.*

L. Jenkins.

Nimeguen, 6th Jan. 1678-9.

Right Honourable Sir,

Since my laſt, which was of the 2*d*, by Expreſs, I have not the Favour of any from you to acknowledge, nor any Letters out of *England* ſince the 24*th* paſt.

We have Conferences every Day fore and afternoon, except yeſterday, being *Sunday*, we had none in the forenoon. The *French* Ambaſſadors do perſiſt to have their *Ultimatum*, I mean, their ſecret Article relating to the *North*, (whereof I ſent you a Copy in my laſt) admitted in full, as they have drawn it; they will have the 7 Poſts they demand to have in *Liegeland* nam'd and aſſign'd them, and they will have a moſt ſtrict Proviſion againſt taking of Winter Quarters in the Empire by thoſe that enter not into this Peace. To ſuffer them to have Winter Quarters otherwhere than within their own Territories, will (ſay the *French*) make the War everlaſting. Beſides, the *French*, when they ſee that their Enemies have Quarters, tho' againſt the Will of thoſe Princes they quarter upon, will not ſtand and look on, but take their Quarters too in the Empire; therefore the *French* Ambaſſadors would ſtipulate from the Emperor to oppoſe by Force all quarterings within the Empire.

To this Point of Quarters, and that other of Poſts, the *Imperialiſts* do not ſay they cannot come up too, but ask what it is the *French* will yield on their Parts by Way of reciprocal Compliance in the Matter of *Lorain*. To this the *French* anſwer, they can abate nothing of the Alternative propoſed in *April* laſt; nor of the Explanation nor Extenſion they have given it by reducing it to Articles, and here the Buſineſs ſtuck laſt Night.

However, M. *Cannon* offers, for a further Facility, that the Duke his Maſter (ſince he finds the Moſt Chriſtian King hath faſtned his Thoughts ſo much upon *Nancy*) to accommodate himſelf either by conſenting it may be garriſon'd with *French*, or elſe by parting with it abſolutely, provided he have a juſt Equivalent, ſuch as the City of *Toul* is

not, but the Biſhoprick of that Name would be ſo, if *France* did make it over to the Duke, as 'tis now poſſeſſed ſince the Treaty of *Munſter*.

THIS is the Commiſſion I had late laſt Night from M. *Cannon*; he ſaid further, that the Duke his Maſter, *eſt ſi honneſte homme*, that he will do any Thing, rather than by ſtanding out upon Terms, engage the Emperor to continue the War, when he finds it otherwiſe his Intereſt to make a Peace; and it ſhall never be ſaid of him, that he holds the Emperor to his Promiſe, to the End he may in ſo doing try his Fortune, or ſeek his Revenge.

M. *Beverning* told me, that M. *Cannon*, in lieu of all Articles, would accept of the very Alternative in the Words 'tis couch'd in the *April* Conditions; but M. *de Haren* ſaid, that neither this nor any Thing elſe will do, the *French* Articles having been couch'd by M. *Pompone* himſelf in the Preſence of the Moſt Chriſtian King; 'tis true, M. *Cannon* told me, he had thought of this as another Expedient, but gave me no Commiſſion to propoſe it; I perceive that he now begins to think the *Imperialiſts* will not ſtick to him finally, but will make their Peace, only they will probably defer it, till they ſee what the *Dutch* Ambaſſadors now at *Paris* will be able to obtain, and in that Interim, M. *Cannon* will have his Maſter's Reſolution upon the Advices of the Courier, that brings him the News that he is not to be admitted to a ſecond Choice, and that nothing will be moderated in the Explication of the Alternative he firſt choſe.

THUS the Affair ſtands between the *Imperialiſts*, M. *Cannon*, and the *French*; we have gone over the Articles between the *Imperialiſts* and the *Swedes*, all the Differences between them are, to my thinking, reconcileable, ſaving that they cannot agree upon the Words whereby the Treaty of *Oſnaburgh* ſhall ſtand reſtored between them; the *Swedes* would have it expreſſed to be reſtored in all its Articles. The *Imperialiſts* ſay, this grates too hard upon them; they ſhould hereby highly diſoblige their old Allies, and yet contribute nothing to the reſtoring of *Sweden*; they offer, that the Treaty of *Oſnaburgh* ſhall be the Rule and Standard of this Peace. And they are willing moreover to annul all Acts and Decrees paſt againſt *Sweden*; and here theſe two Parties ſtick.

THE *Dane* and the *Brandenburgher* are conſtantly at the Conferences, and have ſome Days ago given in the Projects, whereof Copies go herewith incloſed, but it was with a Deſire to me, not to communicate them to the *French* or *Swedes*, till I had a Counter-project from each; the *Swedes* will give none, nor enter into any Negotiation before they have Liberty for their Couriers and Letters.

FOR Letters, the *Daniſh* Ambaſſadors have Orders to offer the ſame Liberty that the *Daniſh* Letters have; for the Couriers, the King of *Denmark* cannot conſent to them by any Means; and there this Matter ſticks.

I have communicated from Day to Day with the *Dutch* Ambaſſadors upon the State of Affairs in our Conferences; I find the *Imperialiſts* do the ſame; but I do not find that the *Dutch* Ambaſſadors do interpoſe with the *French* either upon the Article of the *North*, or upon that of *Lorain*; I ſee they are of Opinion, that the *Imperialiſts* will come up to the Article of the *North*: As to that of *Lorain*, they expect to hear what their Ambaſſadors in *France* will have been able to do upon their laſt Orders, to repeat their Inſtances touching *Lorain*.

I have

I have juſt a Moment to ſay, the *Imperialiſts* have now at three conſigned into my Hands the Points about Winter Quarters, and have yielded the Poſts, but with Proteſtation that they muſt have ſome Moderation in the *Lorain* Affair, *&c.* and that they cannot go one jot further. I am, *&c.*

L. Jenkins.

Nimeguen, 9th Jan. 1678-9.

Right Honourable Sir,

SINCE my laſt of the *6th*, I have the Favour of yours of the *31ſt* paſt, and *3d* Current: I humbly thank you for both.

All that I can poſſible, I do, and ſhall be ſure to do, in the Concerns of his Electoral Highneſs *Palatine*, as well as in the Affair of the Duke of *Lorain*; but for that Duke, though I do every Day almoſt take ſome Occaſion or other to preſs the *French* Ambaſſadors for ſomething of Eaſe and Moderation in Reference to him, yet I find them ſtill immoveable; they telling me laſt Night at a Conference, they had ſome Hours before received Letters from their Court, I took leave to ſuppoſe that thoſe Letters might have ſomething in them more favourable towards the Duke of *Lorain*; they told me no, that they were in Confirmation of former Orders as to that Duke, and that the King their Maſter was reſolved not to remit any Thing in the leaſt of what had been demanded; and that they would not change one Word in thoſe Articles they had given in by Way of Extenſion, or Explication to the Alternative propoſed in *April*.

I told them how the *Lorain* Miniſter was now come to that further Facility, that the Duke his Maſter would frame himſelf to any Terms touching *Nancy*. *1ſt*, The *French* may demoliſh it. 2. They may garriſon it as they pleaſe. Nay, 3. They might have the Soveraignty of it, if they would give but a juſt Equivalent for it. This Propoſition moved them not in the leaſt; telling me, there is no Peace for the Duke of *Lorain*, unleſs he enter into this upon the Terms already projected.

The *Lorain* Miniſter, on the other Side, ſeems to render himſelf more and more importunate. He asked me laſt Night, whether there was any Means to bring his Maſter into this Peace by a remiſſory Article in the Emperor's Treaty; for he ſeems to take it almoſt for granted, that the Treaty will be made up within the Month, and he will be content to have it ſaid in it, that the Article relating to *Lorain*, when the Duke ſhould make up his Peace, ſhould be taken and reputed for a Part of the Emperor's Treaty, tho' he has not given me Commiſſion to make this Propoſal. I ſuppoſe he will firſt ſee, what the *Dutch* Ambaſſadors in *France* have been able to do, or elſe what Orders his Courier may bring him from the Duke his Maſter; only I took leave to obſerve this, that the Peace is not like to ſtick there, tho' his Caſe do otherwiſe extreamly deſerve Compaſſion.

I told you in my laſt, how the *French* had rejected the Project of a ſeparate Article that the *Imperialiſts* had given in; for that there was no Proviſion in it againſt the *Northern* Allies taking of Winter Quarters in the Empire, and no Aſſignation of the Poſts they have now in the County of *Liege*; the *Imperialiſts* have ſince come to it, and have conſigned an Article with theſe two Clauſes into my Hands; the *French* hav-

having firſt deliberated with the *Swedes*, have anſwered it as you'll find in the Apoſtils that go herewith, both upon the Article itſelf, and upon two other Papers, containing Conditions that the *Imperialiſts* would ſtipulate from the *French* and *Swedes* with Reference to thoſe Poſts, and to the marching of Armies through the Empire.

I have ſpent all the Afternoon yeſterday with the *Imperialiſts*, in receiving their Reply to the *French* upon the firſt 10 Articles of the *Imperial* Contre-project; and all this Forenoon in receiving the *Duplie* of the *French* upon the *Imperialiſts*, but there is little or nothing agreed between them; 'tis true, the *Imperialiſts* would let go the 7*th* and 9*th* Article of their Project, (the firſt being againſt the ſtopping the Courſe of Juſtice, the other againſt evocating of the Subjects of the Empire to the Tribunals of *France*) if they might have ſome Satisfaction in their 8*th* Article, which is to put to a Compromiſe the Differences now depending between the 10 Towns of *Alſatia* and *France*; as alſo between the Subjects of *Metz*, *Toul*, and *Verdum*, and that Crown; but the *French* Ambaſſadors will hear of no ſuch Article, they ſtand ſtiff upon the Right acquired them by the Treaty of *Munſter*, but I think they underſtand one another better than they ſeem by their Debates with me to do: One Thing is very obſervable, that upon the Orders the *French* Ambaſſadors received yeſterday, there is an Interview to be all this Evening between M. *Colbert* and the Biſhop of *Gurck*, who has kept his Bed theſe three Days laſt paſt. I am always, *&c.*

L. Jenkins.

Nimeguen, 13*th Jan.* 1678-9.

Right Honourable Sir,

WE have been here ever ſince my laſt of the 9*th*, in Conference both in the Fore and Afternoon, upon the two great Articles, the one touching the Means to reſtore *Sweden*, the other for withdrawing the Troops of *France* out of the Empire.

The *French* Ambaſſadors began with this laſt, but finding that the Difficulties in it could not be ſurmounted, they deſired it might be tried what could be done upon the firſt.

This the *Imperialiſts* without Reluctancy agreed to, and the Debates ſtill produced new Eſſays of Articles, till at laſt the incloſed Articles were given in as the *Ultimatum* on each Side; and laſt Night, after Debate till very late, each Party ſtuck to their reſpective *Ultimatum*, and deſired me I would ſummons them no more to Conferences till the Adverſary yielded the Points in Controverſy.

The 1*ſt* Difficulty conſiſteth in this, the *French* would have it ſaid, that the Emperor, with the Princes of the *North*, and the Moſt Chriſtian King with the *Swedes*, ſhall do their Offices to procure *a Peace, agreeable to thoſe Articles that the* French *in this Treaty of theirs, and that the* Swedes *in their Treaty now to be made, do ſtipulate for the re-eſtabliſhing of the Treaties of* Weſtphalia, and that Stipulation is for a full Reſtitution of thoſe Treaties.

This Specification the *Imperialiſts* will not be brought to, becauſe they would hereby diſoblige the Princes in the *North* in the higheſt Manner, and yet do the *Swedes* no Good; the effective Reſtitution of theſe laſt, being to be ſtipulated in their Treaties with the Princes of the *North*, and not with the Emperor.

The

THE 2*d* Difficulty is in the Article about evacuating the Places in the Empire; the *French* would reſerve to themſelves, by a general Clauſe, the Liberty of continuing their Garriſons in the 10 Towns of *Alſatia*.

THIS the *Imperialiſts* do moſt ſtiffly oppoſe, having offered an Article, which is the 8*th* in their firſt Project, to put the old Differences about the 10 Towns to a Compromiſe; now if they loſe that Article, as the *French* are moſt poſitive not to paſs it, all the Privileges of thoſe Towns will be ſwallowed up, and they will be brought to a perfect Subjection to *France*.

THE 3*d* Difficulty, and the moſt inſuperable of all, is, that the *French* do demand the Reciproque from the Emperor, and that he ſhould march with his Troops out of the Empire; that is, that he ſhould withdraw to the Hereditary Countries, and leave an Army of *French* in the Bowels of the Empire. This is ſo much againſt the Dignity of the Emperor, that his Maſters will never admit it; the *French*, on the other Side, ſay, that if he do not march out, then their King muſt have another Army to make Head againſt his, while the *French* are in Action to reſtore *Sweden*.

THINGS hanging thus, and both Parties being poſitive not to come to the Conferences again, I was this Morning with the *Dutch* Ambaſſadors, to repreſent to them (as I do from Time to Time) where we left Things laſt Night, and to deſire their Offices, (eſpecially with the *French*) as well as their Advice in this Difficulty. Offices, they ſaid, they would paſs none, till they heard from their Maſters what the *Dutch* Ambaſſadors in *France* had done upon the Point of *Lorain*, as alſo upon the Eaſe they were to deſire in the Emperor's Behalf. Advice they gave me none; and from them I went to M. *d'Olivenkrantz*, he has promiſed to contribute what Facility can be on their Side, and to do what Offices they can with the *French*. The *Dutch* obſerved to me, that the *Swediſh* Ambaſſadors had removed their Treaties hence by the way of *France* to the *Hague*; M. *d'Avaux* having now Commiſſion to mediate the Peace between *Sweden* and *Holland*, and they, the *Dutch* Ambaſſadors, having ſent all their Papers to thoſe at the *Hague*, that are to Treat with M. *Silvercroon*.

I can give no further Account of the Buſineſs of *Lorain*, only M. *Cannon* is highly diſſatisfied with the *Imperial* Ambaſſadors, that they conceal from him the Steps they make in their Treaty with *France*; this he told me himſelf, adding, that he would never conſent that his Maſter ſhould be taken in by a remiſſory Article, which yet M. *Stradtſman* told me would be their laſt Refuge.

THE *Imperialiſts* were laſt Night much more poſitive and ſtiff than I found them at any Time hitherto; I cannot think it proceeded from what their Courier brought them on *Friday* Night, for they were calm enough on *Saturday*, and fair as uſually: That Courier brought them Orders, it ſeems, to admit the mention of the Elector of *Bavaria*'s Offices, but not in the Preamble to the Treaty, and not without the like mention of other Electors in general, that had contributed their Offices to the Peace. I am, *&c.*

L. Jenkins.

Nimeguen, 16th Jan. 1678-9.

Right Honourable SIR,

I Have none from you ſince my laſt of the 13*th*, nor any Thing to add, but that we are now this Forenoon juſt where we were when that Or-

Ordinary went away; we had Conferences twice yeſterday, and twice the Day before, yet we have advanced nothing; and all Men do now deſpair of the Peace within this Month, which will be out on *Tueſday* next, *N. S.*

THAT where we now ſtick, is the Article beginning *Rex Chriſtianiſſimus*, that I ſent you by my laſt; the *French* will have that Article as they gave it in, or elſe will have none at all; but in lieu of that Article, which is the 27 *th*, will have it ſaid in the Clauſe of the foregoing Article, (which is touching the Means to reſtore *Sweden*) *fiant etiam reſtitutiones & evacuationes locorum reciprocè* & bona fide juxta tenorem *Pacis Monaſterienſis*. This the *French* will have to be ſufficient, in Regard that, by another Article now agreed to between them, the Treaty of *Munſter* is reſtored to its Vigour, and to be reputed inſerted Word for Word in this Treaty.

THE firſt Expedient the *Imperialiſts* will not enter into, becauſe that in the *French* Article, the Emperor is to recal his Troops; and that he cannot do with Honour or Safety, as long as there is an Army of Strangers in the Bowels of the Empire: Beſides, there is in thoſe Words, that all Places ſhall be evacuated, *exceptis iis quæ vigore Pacis Monaſter. ad Coronam Galliæ ſpectant*; a tacit Implication, that they may continue their Garriſons in 10 Towns of *Alſatia*; and this Point the *Imperialiſts* would not loſe by this Reach: But their great Grievance is, that the *French* would ſtipulate to have the Emperor march out of the Empire, (that is, out of his own Home) while they, the *French*, ſtay behind, and are the Maſters; therefore they offer a Reciprocation, which is, that the *French* recal their Troops out of the Empire, (ſaving the Poſts and Places accorded them) and that the Emperor, on the other Side, recal his Troops out of all Places and Territories belonging to *France*; and if any Places belonging to *France* ſhall happen to be taken, they ſhall be reſtored, *Philipsburgh* excepted. This the *French* reject in great Diſdain, becauſe that the Emperor has no Places in his Hands, nor is he like to have any belonging to *France*, nor has any Troops within their Territories.

THE *French*, when they offer to ſtand to the Treaty of *Munſter*, and to reſtore and evacuate all Places, according to the Tenor of it, refuſe to expreſs or to mention any particular Paragraph, tho' there be ſeveral that direct the Way of reſtoring Places, and of withdrawing Troops on one Side and the other out of the Empire, when the Peace of *Munſter* was to have its Execution; and all that they do ſay for the refuſing to come to Particulars is, that *France* having conſented to reſtore that Treaty Word for Word, is ſufficiently bound to execute it likewiſe Word for Word, as far as 'tis capable of being executed.

M. *Beverning* was with me late laſt Night, to diſcourſe and conſider of this whole Matter, but could not think of any Expedient; he inclined to an Opinion, that the *Imperialiſts* ſhould wholly leave out the Article of Evacuation, and refer themſelves to the Treaty of *Munſter*, in the very Words that the *French* deſire; for if the *French* do proceed fairly, and do reſtore Places, and withdraw their Troops, as was directed and agreed at *Munſter*, the Execution will prove to be in ſome Things more in Favour of the Emperor, than the Article that the *French* offer: But this I found the *Imperialiſts* would not be brought to; for that the Treaty was two whole Years before it was executed, and they were forced to have another Dyet or Aſſembly, to agree upon new Rules for its Execution; beſides, the Caſe was clear then, and the Evacuation eaſier, for that the War did ceaſe in all the Quarters of the Empire at one and the ſame Time; but there being a War to continue now, it's againſt

againſt the Emperor's Dignity, and the Truſt repoſed in him, as well as unſuitable to the Precautions uſed, where one Neighbour ſees another in Arms.

I come now from the Forenoon Conferences, but 'tis ſo late, that I can only ſay, that the *French* are ſtill for a moſt exact Reciprocation in quitting the Places; and if the *Imperialiſts* will name the Places by detail that the *French* are to quit, they will likewiſe name thoſe that the *Imperial* Troops are to quit. So they inſiſt, that if they will have a Stipulation expreſs, that the *French* ſhall march out of the Empire, (except thoſe that are to remain in the ſeven Poſts) and withdraw within the Lands of *France*; they will have the *Imperial* Troops withdraw into the Hereditary Countries. But to avoid entering into the detail, (which will be intolerable to the Emperor in Point of Honour, for what have the *French* to do with *Treves* and *Bonn*, or to provide that the Emperor have no Quarters in the Empire, ſince he engages not to diſturb the *French*, in purſuing the Recovery of the Loſſes of *Sweden*) they are content there ſhould be an Article for naming of Commiſſioners after the Peace, and that the Words of yeſterday, which were theſe, *que les reſtitutions & evacuations des Places referont de bonne fois ſelon la teneur du Traité de* Munſter, ſhould be added, *à le effet de quoy des Commiſſaires ſeront nommez depart un & d'autre, apres les Ratifications echangees pour convenir du temps que* les dits Reſtitutions *& Evacuations deuront être faites* reciproquement *ſelon la teneur du Traité de* Munſter *en ſorte néanmoins que le tout puiſſe etre echeu dans certain eſpace, de ſans pouvoir etre* differe plus long temps.

To this, the *Imperialiſts* do not yet give in what they'll do; or whether they will, when we meet anon, I know not; one Thing they told me, which may hinder the Peace, which is, that they have received expreſs Orders from the Emperor, to inſiſt that the Duke of *Lorain* may have the Benefit of the *French* Alternative, as it was propoſed in *April*, without that hard Explication they have joined to it.

The *Swedes* and the *Imperialiſts* have their Turns in the Conferences, but they are fencing upon the Words whereby the *Oſnaburgh* Treaty is to be reſtored; and the Deciſion between them depends upon clearing of the Difficulties between the *Imperialiſts* and the *French*. I am, *&c.*

L. Jenkins.

Nimeguen, 20th Jan. 1678-9.

Right Honourable Sir,

My laſt was of the *16th*, ſince which I have the Favour of yours of the *10th* to acknowledge, with ſeveral Papers touching his Electoral Highneſs *Palatine*, the Duke of *Newburgh*, the Towns of *Straſburgh* and *Bremen*, for which I humbly thank you. In the Affair of the Elector *Palatine*, we ſhall come to a Struggle in all Probability this Day, I ſhall be ſure to do my utmoſt Endeavour for his Electoral Highneſs.

On *Saturday* Night the *Imperialiſts* and *French* broke off upon the Stile of the Parties treating, but yeſterday Morning the *French* came and yielded the Point, in the Words you'll find it couch'd in the firſt Article that goes along, but with a Reſervation and Condition that goes in a Paper apart; at the ſame Time they agreed this, they made another ſevere Declaration touching *Lorain*, upon new Orders they received yeſterday; they demanded likewiſe an *8th* Poſt, which is *Duren*, in the

Land of *Juliers*, and alledged, it was no new Demand, the Cypher which they had from Court, when their firſt Directions came, being ſuch, by a Miſtake, that they knew not what to make of the Figures that were ſet to expreſs *Duren*; their Demand of *Chaſtelet* was not a Miſtake, as was thought at firſt, *Cheney* having been never thought of, but *Chaſtelet*, a Place near *Charleroy* upon the *Sambre*.

THE *Imperialiſts* received this with the Diſſatisfaction that is uſual and natural in ſuch new and hard Caſes.

THE *French*, when I came to them again, propoſed to come to my Chamber, and to enter into Conferences with the *Imperialiſts* Head to Head; the *Imperialiſts* accepted the Conferences, but propoſed that the Chamber might be theirs; that is, that I would reſign it to them, and take the Chamber which I had aſſigned them.

M. *Colbert* took this in ſo great Indignation, that he ſaid, his Maſter would never go to find out the Emperor, but in the Head of 100,000 Men; nor would they ever go and ſeek out the *Imperialiſts* in their own Chamber upon ſuch Terms, but were content to do that Reſpect to the Mediator, as to go to his Chamber.

WHEN the *Imperialiſts* quitted this Point, the *French* deſired me, in doing the Honours of my Chamber, to meet and re-conduct them, as I ſhould the *Imperialiſts*.

HEREUPON I declared to both Parties, they ſhould be welcome to my Chamber, and that I would do the Honours of it according to the uſual Style of Ambaſſadors at their own Houſe, but reſerving to Sir *W. Temple* and myſelf, the Rights due to his Majeſty's Miniſters in all ſolemn Acts; naming to them that of having the firſt Column for our ſigning: This the *French* agreed to, and told me, they would not be ſatisfied unleſs it were ſo; but before I came to this Reſolution, I took the Opportunity to ſpeak with M. *Beverning*, who was abſolutely of Opinion, I could not refuſe to do the Honours of my Chamber to two Embaſſies, no more than I could do it to one; much leſs ſince there was no ſolemn Act (ſuch as ſigning).

I muſt here note, that when I put in my Reſerve to the *Imperialiſts*, for the firſt Column for ſigning, they anſwered dilatorily, that that did not come to be the Queſtion at this Time; but the *French* were clear we ſhould have it for their Part.

SEEING they were come to ſo cloſe a Ward, and finding the *Imperialiſts* ſtuck upon nothing, M. *Cannon* came up to my Chamber in a Rage, to proteſt againſt the *Imperialiſts*, for abandoning his Maſter, contrary to the Emperor's Orders. I concluded it was much more probable they would agree, than break off, and therefore ſent an Expreſs to Sir *W. Temple*, to deſire him to make a Journey hither to aſſiſt at the ſigning.

AT 4 in the Afternoon the Parties met in my Chamber, the *French* coming firſt; they debated ſeveral general Articles, and agreed them, but could not agree either of the Articles about *Bouillon*, or the free Towns in *Alſatia*.

WE met this Morning at 9, and ſtayed together till paſt one, we have agreed the 10 Articles touching *Friburgh* and *Philipsburgh*, ſo that we have agreed 20 Articles, thoſe aboveſaid of *Bouillon* and the Towns excepted.

OUR Order leads us (we meeting immediately after 3 again) to the Buſineſs of *Lorain*; if that can be made up, I cannot ſee how the Peace will fail. The *French* are ſtill inflexible upon it; and M. *Cannon* ſays, he will not give the Act that the *French* demand. I am, *&c.*

L. Jenkins.

Nime-

Nimeguen, 23*d Jan.* 1678-9.

Right Honourable SIR,

MY laſt was of the 20*th*; ſince which, I have the Favour of yours of the 14*th* to acknowledge; and I humbly thank you for your Directions touching the Preface.

SIR *W. Temple* arrived here on *Tueſday* Night late, and aſſiſted yeſterday at the Conferences, where we finiſhed all the Articles, which are above 40 in Number except two, the one touching the Dutchy of *Bouillon*, and the other touching the Towns in *Alſatia*: the *Imperialiſts* have accepted the *Lorain* Articles, without being able to obtain any Mitigation, except in Words here and there in the Debate; the Sovereignty of *Nancy*, and the High-ways are yielded: We broke up at 2 this Morning upon the Article of *Bouillon*, on a Point very nice, and of no great Conſequence; the *Imperialiſts* (who would moſt willingly leave that Affair to the *French*, and not mention it at all in the Treaty) offer the Article that goes incloſed, whereby they ſubmit the Buſineſs to Arbitrators, who are to determine the *Poſſeſſion* and the *Right*; and in the mean time, no Violence ſhould be uſed to diſturb the preſent Poſſeſſion: The *French* accept this, but will needs have a Clauſe, whereby it ſhall be declared, that the *Duke of* Bouillon *do remain in the Poſſeſſion he is now in*; and yet it is ſufficiently implied, that his Poſſeſſion is not intended to be diſturbed, 1. In that the Emperor and Empire have no Intereſt in the Thing controverted; it being the Biſhop of *Liege*'s. 2. In that the Forces of the Emperor and Empire will have always other Work to do, than to turn the Duke of *Bouillon* out of Poſſeſſion. 3. For that in the very Article that the *Imperialiſts* offer, where they ſay that the Arbitrators ſhall pronounce in the Poſſeſſory and the Petitory, 'tis implied, that till they do pronounce, the Poſſeſſion is not to be diſturbed.

THE *Imperialiſts* having yielded all, do ſtick at this, partly becauſe the Thing concerns them not, and the Biſhop of *Liege* forbids them to meddle in it; but chiefly becauſe of the Emperor's Conſcience, who made a ſolemn Oath, upon his entering into this War, that he would have no Hand in any Alienations or Diſpoſition, to the Prejudice of the Church; beſides that, their laſt Orders are to give the Thing up to the *French*, and not to meddle with it at all.

THE *French*, on the other Side, ſay, their Orders are preciſe and indiſpenſable, to have an expreſs Clauſe for that Duke's remaining in Poſſeſſion, till the Thing be determined; and they ſay, they muſt give in their Demand this Day for razing of *Philipsburgh*; which, if it be given in, the Treaty is abſolutely broke.

HAVING writ thus far, the *Swediſh* Ambaſſadors came to me, to tell me they had prevailed with the *French* Ambaſſadors, to forbear this whole Day the making of any Declaration or new Demand touching *Philipsburgh*; that they would render themſelves, as they uſed to do, in the Mediator's Chamber in the Stadthouſe, and would enter into Negotiation with the *Imperialiſts* for themſelves and the *Swedes*; but that if all be not finiſhed this Night, they will make their Demand touching *Philipsburgh* to Morrow Morning, and will conclude no Treaty without it.

THEY were no ſooner gone, but the *Liege* Miniſter came to tell me, he had declared to the *Imperialiſts*, that it was his Opinion, the Elector

his Maſter would not have the Peace of *Chriſtendom* retarded one Moment for his Pretenſions to *Bouillon*; this makes me think the *Imperialiſts*, when they meet this Afternoon, will give up the Queſtion of *Bouillon*, notwithſtanding what is above; for the *French* have already notice, as the *Swedes* told me, of this Declaration of the *Liege* Miniſter, and make Account that the Point is gained; the only Article that will then remain, will be that of the 10 Towns in *Alſatia*.

I find by M. *Stradtſman* this Day, that the Emperor values the Loſs of that Point, as great as the Loſs of an Electorate; yet the Emperor will come to an Article about it, that ſhall ſignifie nothing, but only ſalve the groſſer Appearances of neglecting them; after this, there will remain no Article of either Project in Controverſy; ſome Conditions the *Imperialiſts* would ſtipulate, but ſeparately from the Treaty, to debar the *French* from ſetting up any Pretenſion for continuing the War in the Empire when *Sweden* is reſtored. This paſt in the Morning in Sir *W. Temple*'s Abſence; he being gone to wait on his Highneſs the Prince at *Arnheim*, but will be back at Night, which is the Reaſon I give this Account alone.

I acquainted M. *Beverning* this Morning with the State of the Treaty; he is aſſured, he ſaid, that the *Imperialiſts* will yield to all, there having been a Letter of M. *Pompone*'s intercepted very lately, whereby he adviſes the *French* Ambaſſadors here, that there is certain Advice from *Vienna*, that the Emperor has directed his Ambaſſadors to come to a Peace at any Rate; therefore M. *Pompone* directs the *French* to hold to their Concluſion in every Thing, ſince they will be denied nothing. I am, *&c.*

L. Jenkins.

Nimeguen, 27th Jan. 1678-9.

Right Honourable Sir,

THE Ordinary of *Thurſday* the 23*d*, will have brought you already an Account, how near the *Imperialiſts* and *French* were to a Concluſion when that Poſt went away, they did that Night adjuſt all their Articles, and go over them again, but could not finiſh all till two in the Morning.

This Work being over, they deſired us to beſtow our Pains upon the Treaty between the Emperor and *Sweden*, which we did on *Friday* and *Saturday*, and it was finiſhed and adjuſted on *Saturday* about Midnight; the *Imperialiſts* yielding all the Points the *Swedes* inſiſted on, complaining, they were hardly dealt with by the *Swedes*, even to Indignity, for they agreed to an Article in Favour of the Duke of *Holſtein*, yet the *Swedes* would not agree to the Article that the *Imperialiſts* offer'd in Favour of the Duke of *Mecklenburgh*; but the *Imperialiſts* were not to ſtick in this, or any Thing elſe, that might retard the Peace.

Yesterday at two, the *French* Ambaſſadors came to us, and told us, they were now ready to ſign the Peace with the *Imperialiſts*; deſiring us to name an Hour for it; ſaying, that they thought our Chamber in the Stadthouſe the fitteſt Place; we told them, we were ready to name any convenient Hour, and to come ourſelves and aſſiſt at the ſigning; and to ſign, in Caſe the Parties ſhould give us the Rank due to his Majeſty's Mediation, which was the firſt Column, as had been practiſed in other Treaties.

They

They told us, they would receive our ſigning with Joy, in the firſt Column, but they perceived the *Imperialiſts* would make a Difficulty upon it, M. *Kinski* having told M. *Colbert* 3 or 4 Days ago, that they could not poſſibly admit our ſigning in the firſt Column, they having moſt preciſe Orders not to do it. Hereupon M. *Colbert* propoſed, that we ſhould come to ſome Expedient; which was, that the Parties ſhould ſign in two Columns; then that there ſhould be a Form of Atteſtation drawn up in the Cloſe of thoſe Columns, and that we ſhould ſign it; this, he ſaid, the *Imperialiſts* had found out, and he remembred it to have been the Practice at *Aix la Chapelle*; we excuſed ourſelves from entring into any Expedient, which would have been to give up a Point, which his Majeſty had directed to be inſiſted upon, as a Thing wherein all Kings and Princes are intereſſed ever ſince our firſt coming upon this Place; but I, Sir *W. Temple*, was able to tell him, upon my own Knowledge, that the Peace was not treated at *Aix*, but being adjuſted in the ſeveral Courts, it was in 5 or 6 Days Time formed into a Treaty there; that the Nuncio, and the Miniſters of ſeveral Electors, and Princes of the Empire, that ſigned with him, had not born the Part or Figure of Mediators, and ſo could be no more than Witneſſes in the Thing. That on the other Side, M. *Beverning* had aſſured us, the firſt Column had been given the Mediators at *Breda*; the *French* having deſired of us to know the Time and Place, and the Method they intended to proceed in to ſigning, we could not refuſe them, but told them, we would go to the *Imperialiſts*, and bring them an Anſwer: Having hereupon acquainted the *Imperialiſts* with the Deſire of the *French*, particularly that of ſigning the Treaty in our Room, and with our Aſſiſtance; we told them, we were ready in both, if they would give us the firſt Column, as the *French* had offered it. Having withdrawn and conſulted together, they made very great Acknowledgments of his Majeſty's Mediation; but as to the Column, they hoped, we would enter into the Practice received at *Aix la Chapelle*; we anſwered them, as we had done the *French*, they profeſſing to be very ſorry, that they were not to have our Aſſiſtance in the Concluſion, as they had had all along, they deſired the *French* might have the Practice of *Munſter* laid before them; which was, that the *French* ſhould come firſt to their Houſe, (the *Imperialiſts*) and ſign there; and then that they, the *Imperialiſts*, ſhould forthwith render themſelves at the Houſe of the *French*, and ſign there for their Parts. We told them, we would acquaint the *French* with what was propoſed, but would leave the adjuſting of it to themſelves, ſince they ſeem'd to have no further Uſe of us, and that we were to have no Part in ſigning of the Treaty.

We have ſince underſtood that both Embaſſies came to their ſeveral Chambers in the Stadthouſe, and at laſt agreed to meet, as they uſed to do, in our Chamber there, which was done, and the Treaty, after it had been read over by themſelves, was ſigned about a Quarter paſt 10 at Night.

The *Swediſh* Treaty, as we are told, will not be ſigned till late this Night; therefore we thought beſt not to let this Expreſs ſtay till that be over, but that his Majeſty may have the Certainty of what is done in the main, and of what is in all humane Appearance to follow.

The *French* got the *Imperialiſts* laſt Night to promiſe they would give an Act to ſign with the *Swedes* this Day; but the *Imperialiſts* have already ſent Word, that the Act is needleſs, becauſe they will be ſure to do the Thing itſelf. We hope the Preface will be to his Majeſty's Satisfaction, and the Article of his Comprehenſion.

THIS Letter was concerted between Sir *W. Temple* and myſelf; but he could not ſtay to ſign it, having received ſome particular Orders from his Majeſty, that requires his immediate Applications, which makes him take *Amſterdam* in his Way to the *Hague:* He left this Place before 8 this Morning, intending for *Naerden.* So that I am forced to ſubſcribe this alone, who am, *&c.*

L. Jenkins.

Nimeguen, 30th Jan. 1678-9.

Right Honourable SIR,

I Have only this to add to what the Expreſs will have brought you, that the *Imperialiſts* and *Swedes* met in the Mediator's Chamber in the Stadthouſe between 9 and 10 that Night, and ſigned their Treaty.

THE *Imperialiſts* having refuſed us the Honour due (as we conceive) to the Mediation, I humbly beſeech you to favour me with ſome Directions how to govern myſelf for the future, as to the having of any Commerce with them. Not that I think it fit for me to do any Office when their Ratifications come, but to let them find the Way to exchange them, as they found the Way to ſign without us; but there being a Probability, that when the Ceſſation, or the Peace of the *North*, comes to be treated, the *Imperialiſts* may have Recourſe to me, and require my Offices between thoſe Parties; tho' I ſhould avoid all Occaſions of going to them; yet I know not how to refuſe them, ſhould they come upon any Buſineſs to me, unleſs I have his Majeſty's Orders; and his Majeſty may think himſelf leſs concerned to purſue this Point, ſince the *French* and *Swedes* (who aſſured us they had the ſame common Intereſt with us, that the Emperor ſhould not be reputed of a diſtinct Rank and Order higher than that of Kings) did not inſiſt to have the Mediators ſign in their due Place; which, if they had done, the *Imperialiſts*, who had yielded them every Thing elſe, would not have refuſed them this. But for my better Government here, you ſee how needful it is for me to know his Majeſty's Pleaſure, as to my continuing or breaking Commerce with the *Imperialiſts.*

ANOTHER Thing is, how I ſhall govern myſelf towards the *French* and *Imperialiſts*, who are to meddle in the Affairs of the *North* by Way of Offices; if the Peace be made, they will certainly pretend to be named in the Preface, and there will be another Embarraſs, which I humbly conceive we are not to enter into, but rather let them take the Preface to themſelves; for in this Caſe the Emperor will pretend to be named before the King.

I came juſt now from ſpeaking with M. *Beverning:* The *Swediſh* Ambaſſadors deſired me to know of him, whether he would go on with the Treaties between the States General and *Sweden*; his Anſwer was, 1*ſt*, That upon a Memorial of M. *d'Avaux*, the States had named Commiſſioners to treat with M. *Silvercroon* at the *Hague.* 2. That he would write this Day to his Maſters. 3. That the States would have their Satisfaction in Point of Commerce, before they would conclude the Treaty of Peace with *Sweden.* M. *de los Balbaſes* was juſt gone from him; his Opinion is, the Emperor will have very great Difficulty to ratify this Peace, the Terms are ſo diſhonourable; but the Dyet will not ſtick at it.

THE *Dane*, *Brandenburgh*, and *Zell* Miniſters, have proteſted againſt this Peace: And I expect their coming to me when the Poſt is gone, to give in their Proteſtations. I am, *&c.*

L. Jenkins.

Nime-

Nimeguen, 3d Feb. 1678-9.

Right Honourable SIR,

SINCE my laſt, which was the 30*th* paſt, I have the Favour of two from you, of the 21*ſt* and 24*th* of *January*, come to Hand; I humbly thank you for both, and beſeech GOD (from my Soul) to give a Bleſſing upon that Reſolution his Majeſty hath taken, to call a new Parliament.

ON *Thurſday*, M. *Schutz*, the *Zell* Miniſter, and after him M. *Heugh* and M. *Blaſpiel*, left with me ſeveral Proteſtations againſt the Peace the *Imperialiſts* had made; Copies of theſe Proteſtations go herewith, as alſo a Letter the two laſt writ to the *Imperialiſts*, before they concluded the Peace.

M. *Heugh*, when I deſired a Paſſport for a Courier the *Swediſh* Ambaſſadors intended to ſend to their Court, with the Treaty ſigned by the *Imperialiſts*, excuſed himſelf from granting one without the King his Maſter's Orders; ſo that the Treaty is forced to be carried by the way of *England*.

M. *Cannon* came to me on *Friday*, to proteſt likewiſe that he had not conſented to the Articles the *Imperialiſts* had paſs'd and ſigned, touching *Lorain*; he is troubled that it is reported (as M. *Serinchamp* adviſes him) at Court, that he hath conſented to that Part his Maſter hath in this Peace, he having left the Conduct of that Affair wholly to the *Imperialiſts*: But he withdrew the Proteſtation he brought with him in writing, leaſt *France* ſhould take Advantage from his not conſenting, and conſequently execute that Menace it hath made, unleſs he ſhould conſent by the 1*ſt* of *February*, *N. S.* that he ſhould have no Recompence for *Nancy*, nor for the Provoſt of *Longioy*.

THE Miniſters of *Mecklenburgh Schwerin* and *Guſtraw* are put to an After-game; the *Imperialiſts* ſtood moſt ſtiffly for them; but the *Swedes* oppoſed the doing of any Thing before *Sweden* was reſtored to thoſe Places, where thoſe Dukes would have the Toll aboliſhed, and before they had Orders from their Court in the Caſe. The *French* have promiſed theſe Miniſters their Aſſiſtance, when the Peace of the *North* is made, which will be a very proper Time, if the *Imperialiſts* intervene and ſtipulate; but the *Swedes* being at this Time thus inflexible, they have loſt a great Point that ſhould have been yielded them, in Relief of the Duke of *Holſtein Gottorp*; for the *Imperialiſts* finding they could get no Eaſe to be given to the Dukes of *Mecklenburgh*, they would not hear of adding one Word to the Article themſelves had projected in Favour of the Duke of *Gottorp*, eſpecially to relieve him againſt the Sentence he is condemned to the Duke of *Holſtein Ploen*, in Coſts and Damages to the Value of 700,000 Crowns; only the *Imperial* Ambaſſadors, at the *French* Ambaſſadors Requeſt, as alſo at Sir *W. Temple*'s and mine, undertook to write to the Emperor, and to the *Conſeil Aulique* at *Vienna*, for an amicable Compoſition in that Buſineſs.

HIS Electoral Highneſs *Palatine* hath the Satisfaction, that M. *Schomberg*'s Pretenſions againſt him were laid aſide, and did not enter into the Treaty: On the other Side, the Prince of *Salme*'s Pretenſions againſt the Duke of *Lorain* were laid aſide for the ſame Reaſon; the *French* themſelves, who advanced the Article of that Prince, ſaw no good Grounds to preſs it: 1. All his Pretenſions were Matters relievable in the

the Judicatures of the Empire. 2. If any one Article ſhould have been omitted (as there is none) that was decidable by Law, and had not its Riſe from, or in this War, the Matter would have been endleſs, both Sides being charged with ſuch Commiſſions in great Numbers. 3. The main Matter that the Prince of *Salme* pretended to, was to be ſecured, that this Duke of *Lorain* do not run into the ſame Exceſſes as his Uncle did, in Quartering of Soldiers upon the Prince's Subjects, and in citing them to his Tribunals; but this Duke is like to be a better Sort of Neighbour than his Uncle, and his Reſtitution withal ſo *Maigre*, that none preſs it. Only we are careful to let both Parties know, it was a Matter that his Majeſty hath in ſpecial Recommendation; and that his Majeſty will, when that Duke is reſtored, be able to procure to the Prince of *Salme* all the Satisfaction he now aims at.

The *Palatine* of *Veldentz*, the Counts of *Naſſau* and *Hanaw*, the Marquiſs of *Baden*, and the *Hanſe* Towns, have had no Place in the *French* Treaty, tho' recommended by his Majeſty; the Intereſts of the three firſt being intended to be provided for in the 8*th* Article of the *Imperial* Contre-project, touching the Towns in *Alſatia*, the immediate Nobility, and the Subjects of the three Biſhopricks; but the *French* were inexorable againſt all Sorts of Temperaments, that they ſtood finally upon this; 1. That the King their Maſter pretended to nothing but what was their Right by the Treaty of *Munſter*. 2. That there was no Controverſy (at leaſtwiſe now depending) that required any Explication of the Words of that Treaty. 3. That it was beneath the Dignity of the Moſt Chriſtian King, to have his Rights ſubmitted to a Compromiſe by his Ambaſſadors. Thus they carried it, that the ſaid Article ſhould be ſuppreſſed; and the *Imperialiſts* were forced to fly to the Remedy of the Declaration or Proteſtation that goes along; ſo that Prince and the two Counts were left without Remedy.

The *Hanſe* Towns could get nothing done for them in the Treaty with *France*, the *French* Ambaſſadors refuſing to admit any Article concerning Commerce, after they had rejected that which the *Imperialiſts* offered; but in the *Swediſh* Treaty, the *Hanſcaticks* are reſtored to their Commerce with *Sweden* in general, but not to all they demand.

I have this Day let the *Hamburgh* Deputy know the Order his Majeſty was pleaſed to give us here, to ſerve that City in all that ſhould lie in our Way; as alſo, how the Company had, by Petition, ſupplicated his Majeſty in Behalf of the City, and what Conſideration his Majeſty was graciouſly pleaſed to have of their Petition; and particularly what the Company hoped, and his Majeſty expected, of a fair and genuine Explication of the 44*th* Article, *&c.* the Deputy received all with great Veneration for his Majeſty; that Town hath little to hope, he ſays, further from the Treaties here; but his humble Suit is, that his Majeſty will be pleaſed graciouſly to afford them his Support and Protection againſt the *Gluckſtadt* Toll.

Just as I am cloſing, the *Holſtein* Miniſter tells me, the Letters of yeſterday from *Paris* ſay, that M. *Meinders* had made his Propoſition there, which was, to retain all *Pomerania* to himſelf, offering the Dutchy of *Cleves* to the Moſt Chriſtian King, if he might have his Conſent. 2. To do his utmoſt to make the Dauphin King of the *Romans*. 3. To remain eternally, he and his Heirs, within the Intereſt of *France*. He told me, that M. *Meyercroon* at the *Hague*, had from his Maſter offered to M. *d'Avaux* to ſend Powers into *France*, to Treat the Peace there between *Denmark* and *Sweden*; and that the Peace of the Houſe of *Brunſwick* is in a good Forwardneſs now at *Zell*; Madame *de Chaſtillon* and

and M. *de Rabenac* being there in the Behalf of *France*, and M. *Puffendorff* from *Sweden*.

In this Place is nothing done, the *Imperialiſts* on *Friday* propoſed a Ceſſation to M. *Heugh* and *Blaſpiel*; their Anſwer was, that they muſt write, being without Orders; and the *Lunenburgers* cannot, without new Orders, conſent to it, without the *Dane* and *Brandenburgher*. I am, *&c.*

L. Jenkins.

Nimeguen, 6th Feb. 1678-9.

Right Honourable Sir,

My laſt was of the 3 *d* Current, ſince which I have none from you; nor is there any Thing here paſs'd (that I know of) worth your Notice; all, it ſeems, expecting Orders from their Courts, before they go openly about the Peace in the *North*.

On *Saturday* Night M. *Stradtſman* was pleaſed to come and acquaint me, with an Infraction already acted by M. *Calvo*, upon their Peace with *France*; that Treaty, in the 29 *th* Article, determines that all Hoſtilities ſhall ceaſe from the very Inſtant of ſigning; yet M. *Calvo*, notwithſtanding he had Notice of the ſigning, paſs'd over the *Rhine* about *Ordinghen* in *Bergland*, and burnt two Villages there.

Upon this Occaſion, he enlarged upon the Neceſſity that he and his Collegues were under, to clap up this Peace, as bad as it is, for the Emperor. The great Reaſon, he ſaid, was, they had not wherewithal to make Head againſt the *French* upon the *Bas-Rhine*, or to cover any Place upon it; that before they reſolved to go through with the Peace, they had ſummoned their Allies, to ſee and ſay what could be done. The *Daniſh* Ambaſſador, he ſaid, (tho' the loudeſt of all in proteſting againſt this Peace) avowed, his Maſter had not one Man to ſpare for ſo weighty an Occaſion; nor would contribute one Penny towards any Expedition, or Service, in the Empire: Nay, his Maſter would not ſuffer the Troops of *Munſter* to return from his Service, tho' the Biſhop hath need of them, and recalled them, to defend his own Territories and the *Rhine*. That they, the *Imperialiſts*, could not but take Notice of M. *Meinders* his Journey into *France*, without acquainting them, the *Imperialiſts*, (being in the Heat of their Conference with the *French*) with one Word of the Deſign or Occaſion of this Voyage; nor would he, M. *Stradtſman*, forget, he ſaid, what Manner of Peace this very Miniſter, M. *Meinders*, made, and how he made it, between the Elector and *France*, in the Beginning of the Year 1673. Thus of the Elector. For the other Allies, the Houſe of *Lunenburgh*, and the Biſhop of *Munſter*, they profeſſed openly, they muſt make their Peace upon any Terms, rather than that their Country ſhould become the Seat of War; otherwiſe they will be no leſs eaten up by the *Brandenburgher* when he comes to help them, than by the *French* themſelves.

Thus ſtood their Caſe with their Allies, he ſaid; but then all the Electors cried out to the Emperor with one Voice, not to defer the Peace a Moment for the Princes of the *North*'s Sake; ſo that not one Elector or Prince, unintereſſed in thoſe Conqueſts upon *Sweden*, would have ſtuck to the Emperor.

Thus he ſaid it was within the Empire; when they looked Abroad, they found as little to rely on. For *England*, he ſaid, they had nothing to hope for; as to theſe States, M. *Beverning* exhorted them to make

up their Peace; and the *Spaniſh* Ambaſſadors were ſo much of the ſame Mind, that M. *Balbaſes* threatned he would proteſt againſt the *Imperialiſts*, if they delayed the Peace any longer. So that M. *Stradtſman*'s Concluſion was, that as Things ſtood, there was an abſolute Neceſſity for their accepting of this Peace; but did not ſee how it could be called a Peace, if that in the *North* were not preſently made up. I am, *&c.*

L. Jenkins.

Nimeguen, 10th Feb. 1678-9.

Right Honourable Sir,

WE have no Letters out of *England* ſince my laſt, which was of the *6th* Current.

On *Saturday* M. *d'Olivenkrantz*, in a Viſit he favoured me with, told me, there was a Peace concluded at *Zell* between the Crown of *Sweden* and the Dukes of *Zell* and *Wolfenbuttle*; he was not, he ſaid, informed of the Particulars, only that *Sweden* was to part with ſome Lands, as well as to pay Money; neither did the *French* Ambaſſadors know the Particulars; M. *de Rabenac*, who made the Peace, ſent his Secretary this way for *France*, but without giving them Part of the Treaty itſelf, at which they are not a little diſſatisfied.

M. *de Rabenac* hath always reſerved to himſelf 7 Weeks Time to work with the Dukes of *Oſnaburgh* and *Hanover*, to bring them likewiſe to accept of this Treaty: This is all the Account M. *d'Olivenkrantz* was pleaſed to give me of it; but M. *Balbaſes*, in a Viſit he gave me laſt Night, concurr'd in two Particulars with yeſterday's Letters from the *Hague*, the one is, that the Ballyage of *Tedinghauſen* is to remain to the Houſe of *Lunenburgh*; the other, that they are to receive 300,000 Rix-dollars in Money.

M. *d'Olivenkrantz*, in the ſame Converſation, told me, that the *French* Ambaſſadors had on *Thurſday*, by order of their Court, communicated to him and his Collegue, an Overture that M. *Meyercroon* had made to M. *d'Avaux* at the *Hague*, for Paſſports for a Miniſter of the King of *Denmark* to paſs into *France*, to Treat a Peace with *Sweden* in that Court; that M. *Pompone* had thereupon writ, not only to M. *Feuquieres*, to ſound the Inclinations of the King of *Sweden*, but to them alſo (the *French* Ambaſſadors here) to ſpeak with the *Swedes* about it.

To this the *Swediſh* Ambaſſadors, as he told me, anſwered, that they knew nothing of the King their Maſter's Mind at this preſent; but if they may judge by the Reflexions he made, and the Orders he gave, when M. *Gioe* made ſuch another Overture, to procure to himſelf Powers to Treat with the Miniſter of *Sweden* at *Paris*, they muſt conclude, that it is the Meaning of their King, not to enter into Treaty with *Denmark* but by his Majeſty's Mediation, and upon this Place; as conceiving, that if the Moſt Chriſtian King ſhould enter into the Function of a Mediator, he would not be longer at Liberty to aid and aſſiſt *Sweden* with his Forces by Sea and Land, according to the laſt Treaties between *France* and *Sweden*. However, that they, the *Swediſh* Ambaſſadors, referred themſelves, as to this Overture, to the Reſolution that their King ſhould come to, when the Matter ſhould be laid before him by M. *Feuquieres*; and that they would not hope (in Regard their Correſpondence is ſtill hindered by *Denmark*) to have an Anſwer upon their Addreſſes to their Court, ſo ſoon as M. *Pompone* would have, upon his having written about it to M. *Feuquieres*.

It was a Thing that M. *d'Olivenkrantz* obſerved to me, not without Regret, that the *French* Letters have a free Paſſage through *Denmark* into *Sweden*, but thoſe of the Ambaſſadors here have not; nay, the Letters of the Court of *France*, and of the *French* Ambaſſadors here, are addreſſed to M. *Clinenbergh*, the Poſtmaſter General of *Denmark*, who hath charged himſelf with the Care of them; and yet when this Freedom was obtained for *French* Letters, the *Swedes* could not obtain any Sort of Eaſe in the ſame Kind.

But what was moſt remarkable in this Conference of the *French* with the *Swedes* was, that the *French* Ambaſſadors, as M. *d'Olivenkrantz* ſaid, ſeemed very much diſſatisfied with the *Swedes*, in not ſhewing a better liking to the removing of the Treaty hence between *Sweden* and *Denmark* to *Paris*; M. *Colbert* alledging, that it was very likely his King may in a ſhort Time recal hence his Ambaſſadors.

This Relation of M. *d'Olivenkrantz* lying thus before you, with all its Circumſtances, I humbly ſubmit to your Conſideration, what is proper for his Majeſty to determine, as to the continuing of his Miniſters here any longer, in Attendance upon a Work that is to be done elſewhere.

I asked M. *d'Olivenkrantz*, upon this Occaſion, what the Elector of *Brandenburgh* was doing as to his Treaty; he told me, that when the laſt Advices came away, M. *Meinders* had not yet had his Audience; that it was pretended, his Errand was no more than to endeavour ſome kind of Neutrality for *Cleves*; but that he could not believe but that he was inſtructed for the whole Peace.

M. *d'Olivenkrantz* did again in this Converſation purge *Sweden* from having any Deſire to draw the negotiating of the Peace between it and the States to the *Hague*; and ſaid, he would ſend me (as he did forthwith) a Memorial that M. *Silvercroon* gave in to the States, declaring that he had no Power or Order to Treat or conclude any Thing at the *Hague*; yet M. *Beverning* writ me a Letter upon this Subject, as if the States had underſtood it quite otherwiſe; a Copy of that Letter goes along, which you will pleaſe to compare (for to reconcile it will be a hard Matter) with the Memorial, whereof there goes alſo a Tranſcript along.

M. *d'Olivenkrantz* holds to his old Concluſion ſtill, that all this Delay on the Side of *Holland*, proceeds from the prevailing Offices of his Highneſs the Prince of *Orange*, in Favour of the Elector of *Brandenburgh*, to draw him out of the War with *Sweden*, at the ſame time they get out themſelves. But I think you'll eaſily believe, that if the Peace of *Denmark* and *Lunenburgh* be made otherwhere, the Elector will not tie himſelf to make his here: And as to the Peace between *Sweden* and this State, I do not find M. *Beverning* inclined to believe, or deſire, that it ſhould be brought back again to this Place.

The Peace of the Biſhop of *Munſter*, I look upon as good as made, if that of the Houſe of *Lunenburgh* be made; ſo that the only Peace that is like to be left upon our Hands here, is the Peace between *Spain* and *Sweden*.

M. *Balbaſes*, after he had told me of his being ordered to go hence with all Diligence Ambaſſador Extraordinary into *France*, told me, he had now withdrawn himſelf from all Buſineſs here, and had devolved what was to be done upon his Collegues M. *Fuente* and *Chriſtine*, and told me plainly, he would enter into no Expedient about the Language with the *Swediſh* Ambaſſadors, his Orders being *de ſe tenir ferme*, and ſo would his Collegues.

M. *Chriſtine* is gone, nor do I hear that he is like to return; there is an old Embarraſs between M. *de la Fuente* and myſelf, ſo that I am not in a Capacity to do Offices upon this Peace, when M. *Balbaſes* departs, unleſs his Majeſty ſhould pleaſe to direct I ſhould, by freſh Orders.

I ſend incloſed a Proteſtation of the Prince and Biſhop of *Liege*, and another of the Dean and Chapter, againſt the Article that relates to *Bouillon*, in the Peace between the Empire and *France*.

HERE goes along likewiſe a Copy of the Treaty between the *Imperialiſts* and the *Swedes*, as I have it from theſe laſt fairly and correctly written.

BEING gone thus far, M. *Blaſpiel* brings me another very long Proteſtation againſt the *Imperialiſts*, for wreſting a Concluſion of the Empire, as if they had been authorized by it to do what they have done. He came to tell me likewiſe, that the *Imperialiſts* give out, that he, and M. *Heugh*, had refuſed to treat of a Ceſſation of Arms, for that they have no Orders; they did not give, he ſays, that for their Reaſon; but their Reaſon was, they would not enter into any Treaty at the Inſtance of the *Imperialiſts*, nor admit their Offices as Mediators. He does not believe, he ſays, there is a Peace made at *Zell*, notwithſtanding the Noiſe made of it here; he is ſure M. *de Rabenac*'s Secretary carried none with him ſigned, when he paſſed by this Town.

M. *Meinders* writes, he ſays, from *Paris*, that there is no good to be hoped for *Cleves*, nor that the Moſt Chriſtian King will charge himſelf to perſwade the King of *Sweden* to ſit down with the Loſs of ſome of his Country in *Germany*, for the Elector's Satisfaction; he muſt hold the Allies, he ſays, to the *April* Conditions, if *Sweden* do not of itſelf come to a Moderation. He hath Orders, he ſaith, to conſent to a Ceſſation, but will do nothing in it at the Requiſition of the *Imperialiſts*; and that M. *Heugh* will be here by and by, to make the ſame Declaration; and poſſibly they two may afterwards joyn, to deſire me to make ſome Overture of it to the *French* and *Swedes*. I am, *&c.*

L. Jenkins.

Nimeguen, 13th Feb. 1678-9.

Right Honourable SIR,

ON *Monday* the 10*th*, a 6 at Night, I received his Majeſty's moſt gracious Letters of Revocation to me from this Place; and am preparing to give them due Obedience. I take leave to add with all Joy too, in Regard they carry with them that Word of Comfort that his Majeſty is pleaſed, of his Royal Goodneſs, to be ſo well ſatisfied with my poor Endeavours in this Service. I ſhall make all the Haſte I can to lay myſelf at his Majeſty's Feet, upon the Intimation you are pleaſed to give me in your *Poſtſcript*; and reſolve to leave moſt Part of my Equipage and Family to follow, when the Rivers are open; I ſhall away my ſelf as ſoon as Sir *W. Temple* arrives here, for ſooner I cannot think it to be his Majeſty's meaning that I ſhould ſtir hence. I am, *&c.*

L. Jenkins.

Nime-

Nimeguen, 13*th Feb.* 1678-9.

Right Honourable SIR,

I Troubled you this Morning, by the Expreſs that brought me his Majeſty moſt gracious Letters of Revocation; and have but little of the Buſineſs of this Place, to add by the Ordinary of the Day.

WHAT hath been done at *Zell*, is not otherwiſe known than by ſome imperfect Notices; this I think is certain, that there is an Agreement made up there, upon Condition that the Moſt Chriſtian King likes of the Terms, which are ſent into *France*, to be ſubmitted to his Approbation.

M. *d'Olivenkrantz* told me yeſterday, that M. *Ducker* is employed by the *French* Ambaſſador to go between them, the *Swedes*, and M. *Termulen*, that Court's Miniſter; that M. *Ducker* had been with them an Hour from M. *Termulen*, but that nothing is concluded; both Sides being obliged to ſtay till they hear from *France*.

'TIS ſaid, the *French* Ambaſſadors had been with the *Swedes* 2 or 3 Days ago, to exhort them, as they did very warmly, to part with ſomething to the Elector of *Brandenburgh*, but that the *Swedes* can do nothing for want of knowing their Maſter's Mind. M. *Beverning* ſays, he perceives plainly that the Elector will make a Shift to get out of this War, and that the King of *Denmark* will be left alone in it. I am, *&c.*

L. Jenkins.

To my Lord Ambaſſador *Jenkins.*

Hague, 16*th Feb.* 1678-9.

MY LORD,

I Thank your Lordſhip for your Account of the preſent Scituation of Affairs when you left *Nimeguen*; and for your late judicious Reflexions on our Affairs at Home; I find them already in Part verified, by my Lord *Sunderland* being made Secretary of State: The News of which, I received but juſt now from the incloſed Letter. And ſince the Contents of it concerns your Lordſhip as much, or rather more than myſelf, I have taken the Liberty to tranſmit it to you by this Conveyance, without adding further to your Trouble at preſent, than that I am, MY LORD, *&c.*

W. Temple.

To Sir *William Temple.*

Whitehall, 11*th Feb.* 1678-9.

MY LORD,

THE King has commanded me to let your Excellency know, that he has been pleaſed to make me Secretary of State in the Place of Sir *Joſeph Williamſon*, and to tell you, that his Mind is alter'd, as to what relates to you; for inſtead of Sir *Leoline Jenkins*, his Majeſty has commanded me to recal you; and that you ſhould immediately return hither with all the Diligence poſſible, in Caſe Sir *Leoline* is not already out of

of *Holland*. If that ſhould be, you muſt obey the Orders I have ſent him, which you will know by the Copy of his Letter, which I here encloſe. By the next you ſhall have your Letters of Revocation, and what is neceſſary to the States, which I believe will be as ſoon as you can be ready to begin your Journey. I wiſh it may be ſpeedy and proſperous, being with great Truth, My Lord, *&c.*

Sunderland.

To the Earl of *Sunderland.*

Neerbos in the *Maes-Waal*, an Hour of *Nimeguen*, *Feb.* 17*th*, 1678-9.

My Lord,

It is with all humble Thanks, that I acknowledge the Honour of a Letter from your Lordſhip of the 11*th* Current; and it is with all faithful Reſpects, that I wiſh your Lordſhip Joy and Happineſs in the preſent Poſt, which it hath pleaſed his Majeſty, out of his juſt Regard to your Merits, to aſſign you in his Service. I made Account, upon his Majeſty's moſt gracious Letters of Revocation, to leave *Nimeguen* the next Day after Sir *W. Temple* (as his Majeſty had ordered him) ſhould return hither, which he intended, if poſſible, ſome Day this Week: But upon the Receipt of your Lordſhip's Letter, which came to my Hand yeſterday at 10, I left the Town between 3 and 4, going through the Heart of it (with my People about me) at the Time the Streets were full of People coming from Church; it being, as I take it, the uſual Courſe, in Caſe of ſuch Diſſatisfactions his Majeſty hath with a great Part of this Aſſembly, abruptly to go out, yet very openly, and about the middle of the Day.

I took leave of no Ambaſſador, nor publick Miniſter; only I deſired Mr. *Chudleigh*, (as Secretary of his Majeſty's Embaſſy) to acquaint the *Northern* Miniſters with what your Lordſhip was pleaſed to direct, notwithſtanding ſome of them may be further advanced in their Peace, than to deſerve any Complement for their Regards to his Majeſty's Mediation.

M. *d'Eſtrades* told me on *Friday*, that the King his Maſter had agreed to the Treaty that was made at *Zell*, and M. *d'Olivenkrantz* told me next Day, there was an Expreſs lately gone from the Moſt Chriſtian King to the King of *Sweden*, to acquaint him, that *France* would ratifie that Treaty, which M. *d'Olivenkrantz* thought the King his Maſter would have much ado to reſolve on his Part, for that the Treaty had ſeveral weighty Exceptions to it.

1. There was the Value of 20,000 Crowns a Year in Lands and Rents alienated by it from the Crown of *Sweden*; a Thing of that Conſequence, that if ſuch an Alienation had been treated of here, he and his Colleague ſhould never have dared (ſo contrary are their Inſtructions) to have conſented to it, but muſt have broken neceſſarily thereupon.

2. The Houſe of *Brunſwick* is to continue in the Poſſeſſion of *Bremen*, and all they have taken from *Sweden*, till the General Peace be made, or elſe for 8 Months to come, in Caſe the General Peace cannot be brought about ſooner; when they, the *Swediſh* Ambaſſadors, by the Means of the *Holſtein* Envoy, going underhand between them and M. *Schutz*, the Miniſter of *Zell* here, had come to an Agreement with him, M. *Schutz*, that all Places belonging to *Sweden* ſhould be evacuated and reſtored to the Houſe of *Brunſwick*, immediately upon the Peace.

3. *Swe-*

3. *Sweden* as well as *France* is to become Guarand, that that Houſe ſhall enjoy the Winter Quarters the Emperor, while in War, had aſſigned to it in the Circle of *Baſſe Saxe*; and whereas the King of *Denmark* and the Elector of *Brandenburgh* have Pretenſions of Quartering upon certain Free Towns and Princes in thoſe Parts, *France* and *Sweden* ſhall hinder them from thoſe Quarterings, in Purſuance of a Guaranty the Houſe of *Brunſwick* hath given thoſe Towns and Princes, that the King of *Denmark* and Elector of *Brandenburgh* ſhall not quarter upon them; this is not only harſh in itſelf, but contrary (as M. *d'Olivenkrantz* underſtands it) to the Treaties now made between the Emperor, *France*, and *Sweden*. Other Things there are, as a perpetual Guaranty againſt the King of *Denmark* and Elector of *Brandenburgh*, in all Quarrels and Pretenſions againſt the Houſe of *Brunſwick*, &c. And that *France* is not to pay the Money, but in Proportion to the emptying the *Swediſh* Territories in one Month, and the King of *Sweden* in three.

This is the Account M. *d'Olivenkrantz* gave, to the beſt of my Remembrance, of this Treaty, complaining very much of the *Swediſh* Miniſter *Puffendorff*, who aſſiſted at it, without Inſtructions or Orders, and did not oppoſe it, but ſeemed to conſent in all Things, tho' he did not ſign.

I take Leave to incloſe to your Lordſhip, a Print that the *French* Ambaſſadors have put out on *Saturday*. M. *d'Eſtrades* left the ſame Thing with me on *Friday* Evening in Writing. 'Tis to let the World know, that unleſs the King of *Denmark* and Elector of *Brandenburgh* do, before the End of *March*, *N. S.* give entire Satisfaction to *Sweden*, by reſtoring the Treaties of *Weſtphalia* and *Copenhaguen*, the Moſt Chriſtian King will pretend new Conditions: The one, that *Lipſtadt* be reſtored to the Elector of *Cologn*; the other, that the King of *Denmark* and Elector of *Brandenburgh* do reimburſe him the Charges of the War.

Being now out of *Nimeguen*, I am endeavouring to get to the *Hague*, to attend his Majeſty's Commands there; but I am at preſent lock'd up between the *Waal* and the *Meuſe*, the Ice not bearing (except it be Foot Paſſengers) to paſs either River, and neither being yet afloat for ferrying over.

As for my returning thither again, I beſeech your Lordſhip to conſider, that my Commiſſion is ſuperſeded under the Great Seal, by the Commiſſion lately paſs'd to Sir *W. Temple* to act alone; and conſequently the ſame Authority will be requiſite to revive the Powers I had jointly with others, before I can take upon me to act anew. Beſides, M. *d'Olivenkrantz* told me, in my laſt Converſation with him, that the Peace of *Brandenburgh* is moſt likely to be made in *France*, tho' they, the *Swedes*, wiſh it might be here, thereby to prevent ſuch a Surprize as that they met with at *Zell*.

The *Imperialiſts* and *French* have, in their new Treaty, engaged themſelves to do Offices with their Allies, in order to the *Northern* Peace, and they have entered upon them already, without ſo much as deſiring his Majeſty's Mediation to interpoſe in Aid of them. Moreover, it was the Opinion of M. *Colbert*, that the *Imperialiſts* muſt come in as Parties Principal in thoſe Treaties of the *North*; if that ſhould happen, they would be ſure to repreſent the ſame Thing they have pretended at the laſt ſigning, and then the farther we are off, the better.

These Things, together with the little Likelihood of doing any Thing to his Majeſty's Satisfaction, I humbly beg your Lordſhip to ſubmit to his Majeſty's Conſideration, and to leave it entirely to his own Royal Wiſdom. I remain, *&c.*

L. Jenkins.

Sir

Sir Leoline Jenkins's *Credentials to the States-General.*

Hauts & Puiſſans Seigneurs, &c.

COMME nous croyons, que rien n'importe plus au bien commun de Nos Eſtates & Sujets que de conſerver & cultiver de plus en plus l'amitié & bonne Correſpondence entre Nous; Et ayans eu experience de la Fidelité & Capacité du Chevalier *Jenkins*, Un de Nos Ambaſſadeurs Extraordinaires & Plenipotentiaires pour le Traité de la Paix à *Nimegue*, & Nous repoſans ſur l'affection qu'il a pour cette fin, Nous avons fait choix de ſa perſonne pour reſider aupres de Vous en qualité de Nôtre Ambaſſadeur Extraordinaire. Vous priant de luy donner entiere creance en tout ce qu'il aura a Vous propoſer de temps en temps en nôtre Nom. Et ainſy Nous Vous recommendons, Hauts & Puiſſans, *&c.* à la Sainte protection de Dieu. Eſcrit à Nôtre Cour à *Whitehall*, ce 14*me* jour de *Fevrier*, 1678-9.

Vôtre bon Amy,

CHARLES R.

Sunderland.

Neerbos, 20*th Feb.* 1678-9.

MY LORD,

I Received yeſterday the Honour of his Majeſty's moſt gracious Warrant of the 14*th* Current, for my Removal from *Nimeguen* to the *Hague*, there to take upon me the Function of his Majeſty's Ambaſſador, together with Credentials to the States General, incloſed in your Lordſhip's Letter of the ſame Date.

IT is with the perfecteſt Submiſſion poſſible that I reſign myſelf to the King's Pleaſure; what He thinks to be for his Service to command, becomes a Duty indiſpenſable upon me to obey. I know not whether I may have Leave to tell your Lordſhip this ſad Truth, that this Service had been, and I hope may be, yet better provided for, if my Unfitneſs for it were truly repreſented to his Majeſty. I am now paſs'd thoſe Years, and not yet arrived at thoſe Abilities, that are requiſite to manage ſuch an Embaſſy as this is, which I take to be a Thing quite different from the Figure I had the Honour to ſerve in at *Cologn* and *Nimeguen*. Beſides, MY LORD, 'tis infinitely for his Majeſty's Service, that he, whoever is his Majeſty's Miniſter at the *Hague*, have the Honour to be better and more intimately known to his Highneſs the Prince of *Orange* than I am, having never had a ſufficient Occaſion to manifeſt the Veneration that I do ſecretly pay to his Perſon, and the Zeal I have for his Service: I will therefore hope, that the main of his Majeſty's Deſign in this new Commiſſion, is to give me a fair Pretence to reſide at the *Hague*, till it be ſeen what Iſſue Things will come to at *Nimeguen*.

AS to my Return thither again, I humbly take Leave to add to what I repreſented in my laſt to your Lordſhip, that as the Scheme does lie at this Time, there will be little Work to do for a Miniſter of the King's there, the *French* have all in a Manner in their Hands already. For the Peace between *Sweden* and the Elector of *Brandenburgh*, upon which that between *Sweden* and this State ſeems in a Manner to depend, it being

being retarded for the Elector's Sake, the *French* have an Intereſt to be the ſole Meddlers in it, ſince their Maſter muſt disburſe what Money is to be paid to the Electors, and they muſt ſcrew up the Electors to part with the moſt that may be of their Conqueſts, that the Promiſe of *France, to have* Sweden *entirely ſatisfied*, may be made as good as the Conjuncture will bear; ſo it concerns them to ingroſs the whole Management of this Treaty; that Advantages may be had from both the Parties.

The Miniſters now at Court, M. *Lindenaw*, *Spanheim*, and *Muller*, who preſs his Majeſty to continue his Offices here, may poſſibly not know that M. *Ducker*, the Biſhop of *Strasburgh*'s Miniſter, is imployed between the *Swediſh* Ambaſſadors, the *Zell* Envoy, and the *Swedes*, and do Treat what ſhall be reſtored, what ſhall be retained, and what Money ſhall be paid; at the very Time, as I collect it, that the *Zell* and *Munſter* Miniſters deſired me to go between them and the *Swedes*, upon a Preliminary, ſuch as the *Plenipouwoirs* to be exchanged between them, as upon a very general inſignificant Propoſition.

The Truth is, the *Daniſh* and *Brandenburgh* Ambaſſadors have been always very fair towards his Majeſty's Embaſſy, the *Dane* eſpecially, who hath upon all Occaſions been poſitive and clear for his Majeſty's Mediation, and no other. That which is to be obſerved of the *Brandenburgh* is, that having been ever ſince we firſt came hither at an Embarraſs with the *French*, and having never ſeen one the other, upon a Point of Ceremony, there hath been of late Interviews between them both at the *Brandenburgher*'s Houſe, and third Places.

If, notwithſtanding all this, I ſhould be commanded to return to *Nimeguen* again, I ſhall not know how to live with the *Imperialiſts*, *French*, and *Swedes*, without the Favour of your Lordſhip's Directions; for I did not give any of them the leaſt Notice of my leaving the Town, and there muſt hence ariſe an Embarraſs between them and me, without it pleaſeth his Majeſty to direct what is to be done in the Caſe; and his Majeſty having given ſome Mark of his Diſſatisfaction, it will lie upon them to give his Majeſty ſome Teſtimony of their Regret.

In your Letter of the 14*th*, you are pleaſed to mention ſome Inſtructions for me, I ſuppoſe they might not be ready by that Poſt, therefore I hope to receive them by the next.

I am here lock'd up ſtill between two Rivers, I ſent down as far as *Tiel*, to ſee if there be any Place open between this and that, but there is none, nor will the Ice bear a ſingle Horſe; which had it done on *Sunday*, I would have gone over to *Arnheim*; yet the Thaw gains but little, in regard it freezes hard at Night. I am, *&c.*

L. Jenkins.

Neerbos, 24*th Feb.* 1678-9.

My Lord,

SINCE my laſt, which was of the 20*th*, I have the Honour of one of the 18*th* from your Lordſhip, and humbly thank you for it; it brings with it all the Comfort I am capable of in this World, in that your Lordſhip is pleaſed to let me ſee, that his Majeſty looks ſo graciouſly upon my little Endeavours for his Service, as to be ſatisfied with them: I beſeech Almighty God to bleſs his Perſon and his Counſels; ſure I am, his Majeſty deſerves to be ſerved better, than I can pretend to do; but I ſhall always (God willing) do my utmoſt. I am extreamly obliged

to your Lordſhip, for your particular Condeſcenſion and Nobleneſs towards me: In the Figure I am in, I ſhall always need your Lordſhip's Favour and Protection, and ſhall acknowledge it with all Thankfulneſs poſſible. I am lock'd up ſtill between two Rivers, the Ice in them hath been moving theſe 2 or 3 Days, but is not yet afloat ſo as to paſs downward. No Boat dares yet croſs the River; as ſoon as any does, I'll be ſure to be moving hence, and make the beſt of my Way towards the *Hague*, that I may be ſo much the nearer to receive your Lordſhip's Directions, and give your Lordſhip what Aſſurances I ſhall be able of my being, with great Reſpect, *&c.*

L. Jenkins.

Sir Leoline Jenkins's *New Plenipouvoir.*

CAROLUS Secundus, *&c.* Omnibus & ſingulis ad quod præſentes Literæ pervenerint, Salutem. Quandoquidem per Literas noſtras ſub magno noſtro Sigillo 13 die menſis Decembris Anno Dom. 1675. datas in expletionem Muneris Noſtri Mediatorii (quod partium Belligerantium conſenſu ſuſciperemus) Conſtituerimus perquam fidelem & dilectum Conſiliarium Noſtrum Johannem Dominum Berkley de Stratton (exinde defunctum), dilectumq; & fidelem noſtrum Gulielmum Temple Barronettum noſtrum apud D. D. Ordines Generales Fœderati Belgii Legatum Extraord. & Leolinum Jenkins Equitem Auratum in Suprema Admiralitatis Angliæ & Hiberniæ Curiâ Locum tenentem Generalem & Præſidem, Curiæ Prerogativæ Cantuarienſis Magiſtrum atq; in nupero hujus Regni noſtri conſeſſu ſive Parliamento Senatorem. Ut & per ſubſequentes Literas noſtras magno iiſdem noſtro Sigillo munitas de data 28 die Decembris Anno Dom. 1676. Dilectum & fidelem noſtrum Laurentium Hyde Armigerum, tunc temporis magnum Garderobæ noſtræ magiſtrum, vel eorum duos quoſvis, noſtros veros certos & indubitatos Legatos Ambaſſiatores Extraord. Commiſſarios Deputatos & Plenipotentiarios pro Tractatu Pacis Univerſalis: Cumq; viſum nobis ſit dictos Laurentium Hyde & Gulielmum Temple domum revocare, plurimumq; fide, prudentiâ & ſingulari in rebus tranſigendis ſcientiâ prænominati Leolini Jenkins, Confidamus, Sciatis quod nos eidem Leolino Jenkins tanquam Legato noſtro ſive Ambaſſiatori Extraord. Commiſſario Deputato & Plenipotentiario per præſentes manu noſtrâ Regiâ ſignatas Damus & concedimus omnem & omnimodam facultatem, authoritatem, & poteſtatem, pro Nobis ac Nomine noſtro interponendi officia omnia Mediatoria ad componendas quaſcunq; lites & controverſias, quæ adhuc terminandæ reſtant inter partes ſive belligerantes ſive paciſcentes; cumq; in finem cum eorum Legatis, Deputatis, & Plenipotentiariis ſufficienti Authoritate ad id inſtructis, tam ſingulatim & diviſim quam aggregatim & conjunctim colloquendi, tractandi, conveniendi, & concordandi, idq; omne quod hinc inde concluſum fuerit, nomine noſtro tanquam Pacis Mediatoris ſignandi; ſuperq; concluſis inſtrumento neceſſaria conficiendi, mutuoq; extradendi recipiendiq; Dantes Ulterius dicto Legato Noſtro poteſtatem & authoritatem pro Nobis & Nomine Noſtro Guarantiam Noſtram ſuper concluſis declarandi omni meliori modo, ac generalitèr ea omnia tractandi, promittendi & faciendi in præmiſſis vel eorum quolibet, quæ neceſſaria videbuntur. Spondentes & in verbo Regis promittentes Nos omnia & ſingula, quæcunq; a dicto Legato Noſtro Extraord. virtute plenæ hujus potentiæ concludi contigent, grata, rata, & accepta (quâ convenerit formâ) habituros.

In

In quorum Majorem fidem præſentibus magnum noſtrum Angliæ ſigillum appponi fecimus. Quæ dabantur in Palatio noſtro de Whitehall 20 die Feb. Anno Dom. 1678-9. Regniq; noſtri 31.

CHARLES R.

Neerbos, 27th Feb. 1678-9.

My Lord

LAST Night, between 8 and 9, this Bearer brought me hither his Majeſty's new Commiſſion for my returning again to *Nimeguen*, and for my acting there, if his Majeſty ſhould ſee Cauſe ſo to direct: It is with all Dutifulneſs and Thanks poſſible that I receive this Honour, and ſhall pay my Obedience to it to the utmoſt of my Power. And I moſt humbly thank your Lordſhip for the Care and Favour you were pleaſed to have for me, that I ſhould not be without a Commiſſion, in Caſe his Majeſty ſhould command me to return again to the Function of the Mediation; your Lordſhip will have an Account from Mr. *Chudleigh*, of what has paſt at *Nimeguen* by Way of Memorials between the *Northern* Parties; the *Swedes* would be glad to ſee the *Dane* and *Brandenburgher* lapſe the Time preſcribed them by *France* to make their Peace in, and it does not appear from any Thing I have obſerved of their Powers and Inſtructions, (as far as I can gueſs at them) that the *Daniſh* and *Brandenburgh* Miniſters at *Nimeguen*, have any Thing in their Power, that will prevent this lapſe; therefore M. *Meinders* muſt do it by his Addreſs at the Court of the *France*, or elſe the *Nomine pœnæ* will fall heavy upon the Elector.

To Morrow Morning, I intend, God willing, to ſet out hence for the *Hague*. When I am there, I ſhall take leave to trouble your Lordſhip with what occurs, and to give what Evidences I can of that Truth and Reſpect wherewith I am, *&c.*

L. Jenkins.

Hague, 4th March, 1678-9.

My Lord,

I Did not reach this Place ſooner than *Sunday* Night: Yeſterday in the Afternoon, I had the Honour to kiſs the Princeſs's Hand; and this Morning at 10, which was the Hour aſſign'd me, I waited on the Prince. His Highneſs was pleaſed to give me leave to lay before him his Majeſty's Orders to me, relating as well to this Place as to *Nimeguen*. His Reflexion and Advice was, that my Commiſſion for *Nimeguen* being not determined, and Sir *W. Temple* being not revoked from his Embaſſy here, I need not be in Haſt to deliver my Credentials; but that it would do well, if I give in a Memorial, that ſhould ſuit with the Expectation I am now under of his Majeſty's further Pleaſure, either to be commanded back again to *Nimeguen*, or otherwiſe; however, he wiſhed me to ſpeak with the Penſioner, who hath ſince aſſigned me the Hour of 3 to Morrow in the Afternoon.

His Highneſs having ſpoke with much Concern of the preſent State of Affairs in *England*, which was ſuch, ſaid he, as diſables his Majeſty from doing that good to *Chriſtendom*, that might otherwiſe be hoped with Aſſurance from him; added, that it would be a great Thing, and extreamly to be wiſhed at this Time, that his Majeſty might make up the Peace of the *North*; that the Way to do it, is to ſpeak roundly to

Sweden, and preſs it cloſely, not to pretend to be reſtored entirely to all that is taken from it in this War. His Highneſs ask'd me, if I had not yet heard that M. *Meinders*, the *Brandenburgh* Miniſter, was upon his Return from the Court of *France*, (as 'tis certain he is) without having been able to do any Thing for the Elector.

As for my returning again from hence to *Nimeguen*, I ſhall hold myſelf ready at an Hour's Warning, whenever it ſhall pleaſe his Majeſty to order it; but I humbly beg leave, upon this Occaſion, to repeat what I have already made my humble Suit for to your Lordſhip; That his Majeſty having commanded me to withdraw thence, as a Mark of his being diſſatisfied with what was lately paſſed there, it will be neceſſary, if I be remanded thither again, to do it upon his Majeſty's expreſs Command; for I do not ſee how I can preſume to return thither, either of mine own Head, or upon the Inſtance of any of the Parties; ſince I muſt not pretend to determine what ſhall amount to a Satisfaction to his Majeſty, after he hath once conceived a Diſpleaſure; nor can I live with the *Imperialiſts*, as I have done formerly, till his Majeſty declares himſelf ſatisfied, at leaſt that he paſſes by what was done at the ſigning.

Another Thing his Majeſty is concerned to be in ſome Meaſure certain of, before he does re-aſſume his Care of the Parties yet remaining in War, is, whether they are reſolved to treat in good Earneſt, and conclude at *Nimeguen*; for I hear, ſince I left that Place, that the Night Interviews between M. *Colbert* and M. *Blaſpiel* do ſtill go on: Theſe Points I humbly leave with your Lordſhip to reſolve, if there be Cauſe; and it would do well, his Majeſty were aſſured from the Miniſters of the *North* at his Court, that the Parties would (upon the appearing of his Miniſter again upon the Place) enter into the ſame Way of Conferences as the *Imperialiſts*, *French*, and *Swedes* did.

I moſt humbly thank your Lordſhip for your conſtant Care of me; for meeting with the Honour of one from your Lordſhip here, of the 25*th* paſt, I find you have not ſpared yourſelf the Trouble of Writing any one Poſt ſince you entered upon that great and buſy Function. For the Occurrences of this Place, I humbly take leave to refer myſelf to Mr. *Meredith*; I have been ſo long acquainted with his great Diligence and Diſcretion, that I think myſelf happy in his Aſſiſtance in this and the other Part of the Work here. I am, *&c.*

L. Jenkins.

Poſtſcript.

JUST as I am cloſing, M. *Van Leewen* of *Leyda* favours me with a Viſit, and tells me, the Peace between this State and *Sweden* is like to have an End in few Days; they, the States, being now about to ſend their laſt Orders to their Ambaſſadors at *Nimeguen*, where 'tis to be concluded, and not here, as was once ſaid: Of the *Brandenburgh* Peace, he could ſay nothing; but that that of the Biſhop of *Munſter* was upon a good Foot. He ſpoke with very great Reſpect and Veneration of his Majeſty, as having the Honour to have been made by him a perfect *Engliſhman*; he would continue ſo, he ſaid, all the Days of his Life; and ſpoke his Wiſhes very affectionately of a firmer Union yet between *England* and this State, judging it the only Means, under God, to keep *Chriſtendom* in Peace.

Hague,

Hague, 7th March, 1678-9.

My Lord,

MY laſt that I troubled your Lordſhip with was of the *4th*; ſince which, I have not the Favour of any from your Lordſhip, there being no *Engliſh* Letters ſince thoſe of the *25th* came in.

On *Wedneſday*, I waited on the Penſioner, at the Hour I told your Lordſhip in my laſt, was aſſigned me: He preſently fell upon the Subject of our new Parliament, and ask'd me, whether I could propoſe any Thing to him, that might be done on this Side, for the Service of his Majeſty, in Order to a good Underſtanding between him and his Parliament; then he himſelf immediately entered into the Conſideration of ſeveral Ways that he thought this State might take for this End: The firſt he mention'd was, the ſending of ſome Perſons with Character from hence, that ſhould do good Offices openly and avowedly between the King and his Parliament; but I told him, his Majeſty, I thought, would never endure to hear of ſuch a Way, ſince there cannot be any Thing more pernicious, than for Foreigners to ſuppoſe ſuch a Breach at any Time; and that there was not the leaſt Ground in our preſent Circumſtances, to ſuppoſe it at this Time: Beſides that, nothing could be more fatal to us, than to have a foreign State (eſpecially this, that is in ſo ſtrict a Friendſhip with his Majeſty) come and own a Power in the Kingdom, that is not under its due Obedience unto his Majeſty; and I took leave to obſerve to him, that our late King (of bleſſed Memory) had his Cauſe very much diſſerved and wounded, in the Beginning of his Troubles, by thoſe that were ſent over by this State to the long Parliament, under Pretence of Mediating between the King and the two Houſes: He eaſily allow'd this not to be a proper Way; then he deſired it to be conſidered, whether or no certain Inſtructions might not be ſent from the States to their Ambaſſador in *England*, with this Limitation, that he ſhould apply himſelf only to ſuch as his Majeſty ſhould point out to him, and in that Manner only, that his Majeſty ſhould direct; or elſe in Caſe that the Offices of M. *Van Beuninghen* ſhould not be without ſome Kind of Suſpicion with his Majeſty (in Regard of his former Applications to diſcontented and unquiet Spirits); he deſired to know, whether the employing of other Perſons in Conjunction with M. *Van Beuninghen*, who ſhould be zealous to ſerve in ſuch a Commiſſion, would be acceptable to his Majeſty. The States, he ſaid, may be brought to do any Thing that ſhall pleaſe his Majeſty to direct or like of; nor will they on the other Side offer to do any Thing, nor intermeddle in the leaſt, unleſs they be encouraged and directed by his Majeſty. All this he ſpoke with great Concern, and recommended it to me, humbly to lay it before his Majeſty by this Poſt, ſaying, he ſhould be able to bring any Thing about of this Kind, notwithſtanding the Oppoſition of the Partizans of *France*, who are but too powerful among them here.

He was, he ſaid, thus full, and thus free with me, for that if *England* be not, by its Union at Home, in a Condition to enter into Meaſures effectively with this State, *France* will over-run all, and none will dare ſtir to defend his Neighbour, in Caſe *France* do fall upon him: He look'd, he ſaid, upon *Geneva* and the Proteſtant *Swiſſes*, as utterly loſt, and the reformed Religion as extirpated out of *France*; this would not be, he ſaid, if *England* and this State were in a vigorous Conjunction, and in a Condition to ſtand firm the one by the other; to this End, they

they on this Side will do any Thing that his Majeſty ſhall pleaſe to direct.

THE Penſioner having ſpoken to this Effect, with a Concern that was very hearty to my ſeeming, and having deſired me to write of what he had ſpoken by this Poſt; I doubt not but your Lordſhip will find ſome proper Time to lay the whole before his Majeſty, and to take his Pleaſure, touching the Anſwer I ſhall make to the Penſioner upon it.

HAVING done with this Point, I asked his Opinion (as the Prince had deſired me) touching my Circumſtances upon this Place. He adviſed me, as his Highneſs had done, to give in a Memorial, but without making mention of the Character his Majeſty is pleaſed to give me by his Credentials, in Regard that Sir *W. Temple* is not yet recall'd; and yet the Credentials do in a Manner ſuppoſe it, ſince they do not mention my being joyned to him; the Memorial is preciſely the Senſe of the Prince and the Penſioner, and I take leave to encloſe a Copy herewith. I am with great Reſpect, *&c.*

L. Jenkins.

Hague, 11*th March*, 1678-9.

MY LORD,

I Troubled your Lordſhip, not only on *Friday* the 7*th* by the Ordinary, but on *Saturday* from *Maeſland*-Ships, and on *Sunday* by one of his Majeſty's Yachts.

YESTERDAY I had the Honour to receive your Lordſhip's Letter of the 4*th* Current, for which I humbly thank your Lordſhip; it giving me all the Light and Inſtructions I can poſſibly expect. As ſoon as I received it, I laid before his Royal Highneſs the Duke of *York*, and the Prince, all that you were pleaſed, MY LORD, to acquaint me with, of his Majeſty's Pleaſure of my Return to *Nimeguen*: whereupon the Duke told me, he would not allow me to think further of attending him, till he were arrived at *Bruxells*, and enjoyned me with great Strictneſs to make ready for my Journey to *Nimeguen*.

THE Prince alſo, upon my humble Addreſs to him, told me, that he looked upon the Letters he had writ to the King, for my going again to *Nimeguen*, as anſwer'd by this from your Lordſhip to me fully to his Highneſs Deſire; he being of Opinion, that his Majeſty ſhould preſs forward with his Offices for the Peace of the *North*, rather than withdraw them; and he having been preſs'd by the Miniſters of the *Northern* Allies here, to get me ſent to *Nimeguen* again, by his Majeſty's Command; he might, he ſaid, now juſtly preſs me upon theſe Orders of his Majeſty, to be going thither.

HEREUPON I thought I was to ballance no longer, but to be in a Readineſs to go hence, as I am to be going, GOD willing, the firſt Moment after that I have ſeen their Royal Highneſſes embarked for *Flanders*. — And I am commanded by his Royal Highneſs to acquaint your Lordſhip, that he, and the Dutcheſs, intends to be going hence for *Bruxells* on *Friday* Morning next.

YOU will eaſily imagine the Surprize that his Arrival hath given all Sorts of People here, and the Variety of Conſtructions that are made upon it: But the Duke hath, to my Knowledge, taken ſeveral Occaſions to declare, that this Command of his Majeſty upon him, was received not only with all Reſignation on his Part, but with a Reſolution not to make any the leaſt Step in theſe Countries, but, as it were, under his Ma-

Majeſty's Eye, and with a perfect Regard to that which his Majeſty ſhall pleaſe from time to time to direct him.

THE Prince had yeſterday a Review of his Guards near this Town, and he did, at the Head of them, do thoſe Military Honours (with his Sword in Hand) to the Duke, which he had never done to any before; and as they were the greateſt in their kind, ſo the Prince is extreamly applauded for doing of them. I am, *&c.*

L. Jenkins.

Hague, 14th Mar. 1678-9.

MY LORD,

THIS Morning at 7, their Royal Highneſſes ſet out from this Place (the Prince accompanying them) to *Rotterdam*, where two very fine Yachts of his Highneſs's were waiting for them; they were on Board by 10, but did not ſet Sail till after 12; the Wind being good, 'twas hoped they would be able to reach *Antwerp* to Morrow before Night.

HIS Royal Highneſs was pleaſed to charge me, as he was going on Board his Yacht, with the Pacquet incloſed for your Lordſhip. It was eaſie to perceive, upon the receiving of this Day ſevennight Letters out of *England*, (which came not to Hand till yeſterday at 3) that the Incident about a new Speaker in the Houſe of Commons was a moſt ſenſible Affliction to the Duke, leaſt it ſhould engage his Majeſty in a Controverſy not at all ſeaſonable; and conſequently become a Hindrance to thoſe moſt weighty Affairs, which his Majeſty had recommended to his Parliament. All Men here (Strangers I mean) do look upon it as inauſpicious enough. I beſeech GOD in his Mercy to turn all to the beſt.

I moſt humbly thank your Lordſhip for the Honour of yours of the 7*th* Current; it gives me an Article of Inſtruction ſo wholſome and ſeaſonable, that I cannot poſſibly deſire better; in that I am referred to his Highneſs the Prince, to determine what I am to do with relation to the King's Service, upon all Orders that your Lordſhip ſhall be pleaſed to ſend me from that Side; there could not be a more proper Remedy for my Inexperience in the Affairs of theſe States, nor a more effectual Means to be thought of, to promote the King's Service.

I ask'd the Prince, as I waited on his Highneſs in his Return from *Rotterdam*, when he would be pleaſed to ſend me away hence for *Nimeguen*; telling his Highneſs, that I was ready to go at a quarter of an Hour's Warning: He told me, that M. *Meinders*, the *Brandenburgh* Miniſter, was now returned from *France*; that his Highneſs had not yet ſeen him, but thought he might ſome time this Night; and then, that I ſhould know what his Highneſs will determine as moſt adviſeable for my Journey, and the Time of it, for *Nimeguen*.

I received the Letter addreſſed to his Majeſty, that goes herein incloſed, from the Prince of *Salme*; 'tis, it ſeems, to advertiſe his Majeſty, that the Princeſs of *Salme* (his Wife) is lately dead; that Princeſs was Prince *Rupert*'s Niece, Daughter to his Highneſs's late Brother Prince *Edward*; the Prince of *Salme* ſent me a Letter for the Duke too, which I delivered to his Royal Highneſs, and 'tis upon the ſame Occaſion; but he ſent me none for his Highneſs Prince *Rupert*. I am with all great Reſpect, *&c.*

L. Jenkins.

Hague,

Hague, 18*th Mar.* 1678-9.

My Lord,

MY laſt to your Lordſhip was of the 14*th* Current, I have ſince, that is, on *Sunday* late at Night, received the Favour of one from your Lordſhip of the 11*th*; it came juſt Time enough to ſtop my Journey for *Nimeguen*, which I intended to begin at 4 the next Morning.

I gave your Lordſhip an Account in mine of the 11*th*, of the Motives I had to uſe that Liberty, to which it hath graciouſly pleaſed his Majeſty to leave me, as to my returning to *Nimeguen*; and now when I gave his Highneſs the Prince (of whom I had taken my Leave already) an Account of the Stop that was put to my Journey by his Majeſty's Orders, he was pleaſed to tell me, he would write to his Majeſty by this Poſt, and lay it once more before his Majeſty, that it was very much for his Intereſt and Service, not to loſe the Hold he hath all this while had of the Mediation; but to endeavour all he could, that not the *French*, but his Majeſty, ſhould make up the Peace of the *North*.

Yet when I was taking my Leave of his Highneſs, and deſiring his Commands and Inſtructions for *Nimeguen*, he was pleaſed to acknowledge, that it was (while we are in ſo unſettled a Condition in *England*) a Thing ſcarce to be hoped for, that his Majeſty's Offices would be in any Degree efficacious with the Parties; yet his Highneſs's Advice to me was, to ſpeak the moſt preſſingly that was poſſible to the *Swediſh* Ambaſſadors, to come to Reaſon, rather than continue a War that is ſo dangerous to all *Chriſtendom*, and that probably will not end with all the Satisfaction that they promiſe to themſelves.

This was all it pleaſed his Highneſs to recommend to me by way of Command or Inſtruction for *Nimeguen*; but the States, upon a Memorial that the Prince and the Penſioner adviſed me to give in, (to advertiſe them of my leaving the Place) ſent me an Extract of their Reſolution upon my Memorial, and therein recommended to me the Peace of the *North* in general; then they mention two Particulars, the one, that I ſhould do my beſt Offices, in order to hinder the *French* from taking Quarters in the Country of *Cleves*; the other, that I ſhould endeavour to prevail with them to keep off from the Frontiers of this State. I take Leave to incloſe a Copy of that Reſolution, and of the Memorial which occaſion'd it; as alſo of their Reſolution upon my firſt Memorial.

When I acquainted the Prince yeſterday Morning, with the Satisfaction that his Majeſty expects in *four* Points, before he do allow of my Return to *Nimeguen:* His Reflexion was, that there was no Hopes that the *Imperial*, *French*, or *Swediſh* Ambaſſadors, would ever make it their formal Deſire, that any Miniſter from his Majeſty ſhould return thither; much leſs that they would be brought to give any Satisfaction for what is paſt.

This is certain, that the *Swediſh* Reſident here, M. *Silvercroon*, was with me twice ſince my coming to this Town, from the *Swediſh* Ambaſſadors at *Nimeguen*, once to know my Senſe upon the Extent of Mr. *Chudleigh*'s Commiſſion; another Time, to deſire my Covert for their Pacquets through *Denmark*; but at neither of thoſe Times did he make any Requeſt to me, in the Name of thoſe Ambaſſadors, for my ſupplicating his Majeſty for Leave to return; yet they certainly are the moſt concerned to have the Help of his Majeſty's Mediation, not only in their Treaties with *Denmark* and the Elector of *Brandenburgh*; but alſo in thoſe with this

this State; they not ſeeking to his Majeſty, there is leſs Likelihood that the *Imperialiſts* or *French* will do it, they affecting to meddle between the Parties, and having great Ends to ſerve in ſuch a Negotiation. As it is not like they will deſire our interpoſing, ſo it is moſt improbable they will frame themſelves to give any Satisfaction for what is paſt; the *French* and *Swedes* will plead they can have nothing imputed to them, ſince they would have given us the firſt Column in ſigning if the *Imperialiſts* had done it; much leſs will the *Imperialiſts* do Reaſon in the Caſe, for that would be to yield up the Point they think they have ſaved: Beſides that, they have no further need of a Mediation at this Time.

As to the other two Points, I mean, that we ſhould be aſſured beforehand, that the remaining Peace ſhould not be Treated and concluded otherwhere than at *Nimeguen*; and that we ſhould be ſure the King's Miniſter ſhould have Right done him, as to the Rank in ſigning; they are not without their Difficulties too, in my poor Apprehenſion, tho' the Prince was not pleaſed to come to any Reflexion upon them: We ſee what M. *Meinders* went for to *Paris*, tho' without any Manner of Succeſs, beſides that of carrying good Words from the Moſt Chriſtian King and M. *Pompone* to his Maſter. The King of *Denmark*, as his Ambaſſador hath always profeſs'd, will not be brought to change his Majeſty's Mediation, nor conſequently the Place; but I doubt the Elector may be eaſily brought to change Hands, upon what hath been talk'd already ſome time ago of making the Peace here at the *Hague*, and now of late at *Berlin*, with M. *Rabenac* and *Puffendorff*; yet I owe that Juſtice to M. *Roomſwinckle*, his Electoral Highneſs's Miniſter here at the *Hague*, as to acquaint your Lordſhip, that he told me yeſterday, that notwithſtanding what may be thought of M. *Meinders* his Journey to *Paris*, yet the Elector his Maſter adheres to his Majeſty's Mediation, and deſires to have his Peace finiſhed by his Majeſty's Hand, and by no other.

As to the laſt Point, which is our Rank and Place in the ſigning, the *French* having offered it formally to Sir *W. Temple* and myſelf, if we would have ſign'd the Peace between them and the *Dutch*, I cannot think they'll now go back, nor the *Swede* or *Dane* make the leaſt Difficulty about it: Yet *France* hath a Principle that it goeth upon, which I cannot but think on in the preſent Caſe; they allow the Emperor but a bare Precedency before their King, nor will they allow any Potentate to cut between them upon any Account whatſoever.

This made them introduce a Novelty (as they carried whatever they pleaſed to ſtand upon) in their Treaty with the Emperor; for inſtead of ſaying (as it hath been the conſtant Stile) *pax ſit — inter Imperatorem & Imperium — ex una parte*; they ſeparated the Emperor from the Empire, and thruſt the Name of their King between them, that is, between the Head and the Body, that the *French* King might follow immediately after the Emperor: Now if we have a Rank in ſigning before them, having not had it before the *Imperialiſts*, they may poſſibly pretend, that they muſt not give us this Place which the *Imperialiſts* have refuſed us, leaſt we be thought to be in a Rank above them, and yet below the *Imperialiſts*: But this is nothing but my Conjecture, or rather Apprehenſion, from the Ways that the *French* uſe to ſet themſelves up.

Upon the whole Matter, his Highneſs the Prince is for his Majeſty's preſent interpoſing, becauſe it is extreamly his Majeſty's Intereſt, as well as of *Chriſtendom* too, that the remaining Differences be made up by no other Authority and Offices than thoſe of the General Mediator: On the other Side, theſe *four* Points will at leaſt take up a great deal of

Time, for the reſpective Miniſters to procure Orders upon, (for upon the 2 *d* and 3 *d* Point they will ſcarce do any Thing without Orders firſt had) to his Majeſty's Content: Therefore I would humbly offer to Conſideration, whether his Majeſty would not do beſt, to try if the whole Negotiation of the *North*, may be brought to be Treated in his own Court, and under his own Direction; all the Parties have already their Miniſters there, and I ſuppoſe they know the Mind of their Maſters.

THE great and difficult Points are not many; if the Elector might have *Stetin*, together with that which lies on the River *Pene*, and if the King of *Denmark* might have a Place or two in *Schoonen*, I conceive the Peace were made; theſe Points being adjuſted, the remaining Differences would eaſily and quickly follow.

HIS Majeſty thus taking the Thing into his own Hands, the Embarraſs and Delays that will, I fear, ariſe upon the *four* Points, wherein his Majeſty expects firſt to be ſatisfied, would be avoided; and the Influences of his Majeſty's Royal Preſence would be infinitely more effectual, than any Applications of mine on this Side can be: But all this I perfectly ſubmit to his own Royal Judgment, and moſt humbly beg Pardon if I preſume too far.

BUT there is another Thing that concerns his Majeſty much more nearly; it is, MY LORD, the drawing down of the *French* Troops in *Flanders* towards *Dunkirk*; the Prince told me this laſt Night, adding, it was News that did not *pleaſe* him; the diſaffected *Engliſh* blow about the News very induſtriouſly, and ſay the Deſign of the *French* is againſt *England*, that all the Shipping that is equipped in the *French* Ports, is to *rendezvouz* at *Dunkirk*; they are ſaid to be 37 great Men of War: This is certain, (as C. *Waldeck* firſt told me, and then the Prince confirmed it) that M. *d'Avaux* hath ſhewed to ſeveral of the States, Letters that he hath from the King, ordering him to declare, that the Preparations of *France* are not intended againſt *Genoa*, or *Geneva*, or any other Part of *Italy*. The Prince likewiſe was pleaſed to tell me, the Danger that *Skenken-Skans* is now in, the *French* poſſeſſed themſelves of the Town of *Cleves*, and all the Country, and of a Caſtle, within leſs than a quarter of a Mile of the *Skans*: What Truth there is of the States ſending to ſtrengthen the Garriſon there, I know not; but C. *Waldeck*'s Reflexion was, that no Garriſon would do any Good, or be able to hold out, where there was no Army in the Field, nor any Hopes of Relief.

IN a Word, MY LORD, every body in this Country, that is ſenſible of the preſent Aſpect of Things, cries out, they are undone here, unleſs *England* be in a Condition to look Abroad, and to join with this State, to prevent their being totally over-run by the Power of *France*. I beſeech GOD to preſerve his Majeſty, and direct his Counſels. I am, *&c.*

L. Jenkins.

POSTSCRIPT.

SINCE the writing of this, Mr. *Chudleigh* adviſes me, that the *French* Ambaſſadors have, for themſelves and their Allies, conſented to a Ceſſation till the End of *April*, and that they were adjuſting the Terms of it; he adds, that if the Emperor and the Duke of *Lorain* do not ratifie within the Time ſet by the Treaty, the *French* will have the additional Conditions mentioned in their Menaces of *January* laſt.

Hague,

Hague, 21*ſt March*, 1678-9.

My Lord,

My laſt was of the 18*th* Current, ſince which I have not the Favour of any from your Lordſhip; there is no Poſſibility of coming at the Raedt-Penſioner, till the States of *Holland* are ſeparated; the Prince hath been pleaſed to tell me ſo; and that is the Reaſon I am not able to tell your Lordſhip, that I have acquainted him of his Majeſty's laſt Orders to me relating to *Nimeguen*, which I received in your Lordſhip's of the 11*th*.

The Prince was pleaſed to tell me laſt Night, that the Electoral College, and the College of Princes, had paſs'd the Ratification, and that there was no manner of doubt, but the Free *Imperial* Cities would do the ſame; only it was to be feared, the Ratifications being to be carried back again to *Vienna*, they might not reach *Nimeguen* within the preciſe Time appointed for exchanging them; whether the Duke of *Lorain* does intend to ratifie in Form or not, is with me a Queſtion, ſince his Miniſter (from whom I have a Letter juſt now) takes Notice indeed of the *French* Ambaſſadors Declaration, that is, in caſe that Duke did not ratifie within the Time, the Moſt Chriſtian King would be at Liberty to change the Conditions, and ask what he pleaſed; but does not ſay what he might hope or fear of the coming of his Maſter's Ratifications to prevent this; but he ſpeaks of a Perſon that the Duke his Maſter had charged with Letters of Submiſſion, to be delivered by ſome of the Princes of the Houſe of *Lorain* to the Moſt Chriſtian King, and that that Perſon is ſtopt: This Miniſter deſiring that, according to his Majeſty's Royal Goodneſs for that Prince, ſome Care might be taken of him in this Conjuncture: This being the Scope of his Letter, he ſeems to imply, that that Proviſion is not made, that would do the Buſineſs; nor can I ſee what I ſhould be able to do, if I were at *Nimeguen*, in this Caſe; however, I humbly beſeech your Lordſhip to lay the whole Matter before his Majeſty, that the Duke may not want his Majeſty's Help and Protection, if his Majeſty ſees any Place to give it him.

Mr. *Chudleigh* adviſes me this Day, that the Peace of the Biſhop of *Munſter* with *Sweden*, was made upon *Wedneſday* Night; that the *Brandenburgh* Ambaſſador had agreed to a Ceſſation till the 1*ſt* of *May*, in the very Terms the *French* have projected it; that the *Dane* agreed the Thing, but heſitated at the Terms; and that the *Dutch* Ambaſſadors paſſed Offices between the Parties.

I ſent to *Amſterdam*, to know what Commiſſions the Sieurs *de Preüill* and *de la Porte* have, as to their buying of Shipping there, *&c.* all that I can yet diſcover is, that the firſt hath a Commiſſion to buy two *French* Ships that were taken at *Tobago*, and the other to buy Tackle; but both are to bring what they buy to the Port of *Dunkirk* with all Speed.

I am, *&c.*

L. Jenkins.

POSTSCRIPT.

HAVING ſince the writing of this received the Honour of one from your Lordſhip of the 18*th* Current, and the Prince being out of Town, I cannot determine any Thing of my Journey till I have the Honour firſt to ſpeak with his Highneſs.

Hague, 25th March, 1679.

My Lord,

THE laſt I troubled your Lordſhip with, was of the 21*ſt* Current; and in a *Poſtſcript* to it, I acknowledged the Honour of yours of the 18*th*, which ſet me at Liberty again to return to *Nimeguen*, in Caſe the Miniſters of the *Northern* Princes ſhould continue their Inſtances to that Purpoſe, and that I ſhould be thereto deſired in the Name of the States General.

Having communicated this to his Highneſs the Prince, as ſoon as he returned on *Friday* Night, his Reflexion was, that I ſhould no longer defer my Journey; that the States had requeſted me already; and that they would do it again, and ſo would the *Northern* Miniſters: The States General had this Deliberation on *Saturday*, and on *Sunday* the Penſioner gave me a Viſit in their Name; and by their Order, made it his formal Requeſt to me, that I would, if it did conſiſt with his Majeſty's Pleaſure, make all the Haſt to return to my Functions at *Nimeguen*; that the States did hope his Majeſty's Offices would bring about the General Peace moſt certainly, if Things did go as they ſhould in *England:* This laſt he added, he ſaid, of himſelf, and the Prince ſpoke to the ſame Effect, not doubting but that his Majeſty's Mediation would be efficacious to that Degree himſelf could wiſh, if Things be calm and united at Home.

After the Penſioner was gone, the *Brandenburgh* Miniſter, M. *Roomſwinckle*, came to me, and made it his ſolemn Requeſt; ſo had the *Oſnaburgh* Miniſter ſome Days before: The Penſioner told me, I was not to expect that the *Daniſh* Envoy would come to me, becauſe of the Punctilio of the Hand that he pretends from all Ambaſſadors, but that he had been already, and would be again, with the Prince, to requeſt his Offices to diſpoſe me, if poſſible, to return to my old Poſt. The Prince told me, this Envoy, and another *Daniſh* Miniſter, as alſo M. *Roomſwinckle*, were with him yeſterday on that Errand; and his Highneſs commanded me to aſſure your Lordſhip he had been ſollicited by them with all Earneſtneſs for my Return.

The previous Conditions that his Majeſty required, being thus complied with, and the Prince being earneſt in the Thing, I had no Place left to ballance, and the rather, in that the Parties at *Nimeguen* do (as his Highneſs obſerved to me) ſtill continue their Reſpect to his Majeſty's Mediation, having exchanged their Inſtruments for the Ceſſation by the Hands of Mr. *Chudleigh*; therefore I begin my Journey this Morning, tho' I muſt confeſs, without thoſe Hopes I might have, of being ſucceſsful in ſome Degree to his Majeſty's Content, becauſe our Affairs at Home are not better compoſed. However, I ſhall give your Lordſhip an Account from Time of what paſſeth, together with the Aſſurance of my being with great Reſpect, *&c.*

L. Jenkins.

Nimeguen, 27th March, 1679.

My Lord,

I Took leave to trouble your Lordſhip with a Letter, as I was taking my Leave of the *Hague*, on *Tueſday* Morning; I arrived here at 9 laſt Night.

The

THE *Brandenburgh* and *Dutch* Ambaſſadors did me the Favour to ſee me this Day, and the *Daniſh* Ambaſſador, as ſoon as I came to Town laſt Night: But none of them give me any Hopes of being able to do any good towards the Peace, the *French* are ſo high: I will hope by the next to give your Lordſhip ſome Account of the Complexion of this Place, together with the Aſſurance of my being, *&c.*

L. Jenkins.

Nimeguen, 31ſt March, 1679.

MY LORD,

MY laſt of the 27*th* to your Lordſhip, was but of few Words only, to let you know I was come to this Place.

I was in a great Anxiety, and am ſo ſtill, in that it is his Majeſty's Pleaſure to leave me in a great Meaſure to myſelf, without other Directions than to act as I ſhall think it moſt conſiſting with his Majeſty's Honour, and for the Good of the General Peace; ſo it pleaſeth your Lordſhip to direct in yours of the 18*th*: I therefore reſolved two Things.

1*ſt*, TO acquaint the ſeveral Ambaſſadors here, in the firſt Converſation I ſhould have with them, with the Diſſatisfactions his Majeſty received, by the Difficulty made to allow us that Place at the ſigning of the Peace, which was undoubtedly due to his Majeſty's Miniſters in that Function, and therefore it had pleaſed his Majeſty to command me to leave the Congreſs; yet the Conſideration his Majeſty had for the quiet of *Europe*, as well as for ſeveral of the Parties ſtill in War, had prevailed with him, firſt, not to determine his Embaſſy of Mediation here, and then to give Way to the Inſtances made with him at his Court, for the ſending of a Miniſter hither again: To this Effect, your Lordſhip directs me (in your Letters of the 4*th* of *March*) to expreſs myſelf, in Caſe of my Return hither again.

ANOTHER Thing I reſolved was, not to loſe any Time, but to lay hold of the firſt Occaſion, to go upon my Offices, as if there had been no Interruption at all.

THE *Dane* and *Brandenburgher*, who came upon me one after another, as ſoon as they heard of my being come to Town, were very full in their Expreſſions of Thanks for his Majeſty's Care of them; that his Majeſty was their only Mediator; that it was their conſtant Reſolution to depend upon him, and for that Reaſon, they had continually applied themſelves to the Secretary of his Majeſty's Embaſſy; and if they were forced to admit others to intermeddle, it was, becauſe their adverſe Party would not otherwiſe go on with the Negotiation; however, that they had made a Shift to keep the Groſs of their Affair out of other Hands, intending it entirely for his Majeſty. In theſe Diſcourſes, they glided over what I obſerved to them of his Majeſty's Diſſatisfaction, and how he had ſacrificed it to the Zeal for the Peace. So did the *Dutch* Ambaſſadors, who came next to ſee me, not replying any Thing as to the Reaſon for which his Majeſty had commanded me away hence; but telling me, they had been careful not to meddle in the Functions of the Mediation; taking notice to me of the Orders they had to live in all good Correſpondence with me; the States their Maſters having ſo directed them, as appears by the Reſolution which goes herewith incloſed.

As the *Dutch* paſt over this Point in Silence, ſo did M. *Oxenſtiern*, who was the next that came to ſee me; he begun his Diſcourſe with telling me, he had been always in Hopes that his Majeſty would not leave them,

them, but go through with the Mediation; and he was very ſorry, he ſaid, the Ceſſation now agreed, and their Peace with the Biſhop of *Munſter*, had not paſs'd through my Hands; but that there was a great deal of Work remaining, which he hoped might be finiſhed by his Majeſty's Authority; and the firſt, wherein he deſired my Offices, was the Treaties of *Peace and Commerce*, that are ſtill in the ſame State in which I had left them.

As ſoon as I was free of theſe Viſits, I went to the *French* Ambaſſadors, being charged with a Commiſſion towards them by the States General, in their Reſolution, which I ſent your Lordſhip already, touching the Quarterings of the *French* in *Cleves*, and the Frontiers of the States Country; beſides, I was charged with another Commiſſion by M. *Bleſpiel*, ſo that I had my Hands full enough, to enter into Buſineſs with them (as I had reſolved to do) the firſt Moment I ſhould be free after my coming to Town.

The Mareſchal *d'Eſtrades* had ſent a Gentleman to complement me upon my Return, as ſoon as he heard of my Arrival: I begun with acquainting them, as I had done the reſt, with his Majeſty's Diſſatisfaction; to which M. *Colbert* replied, that he was confident my Collegues and myſelf would do them, the *French*, that Juſtice, as to bear witneſs, how ready they were to give us the firſt Column in ſigning; how they had all along paid the Reſpect due to his Majeſty's Mediation; and that they had, ever ſince my withdrawing hence, born the ſame Reſpect to it, making uſe of the Secretary of his Majeſty's Embaſſy; both of them making large Profeſſions, but M. *Colbert* eſpecially, how glad they would be, every Man in his Particular, to contribute any Thing that lay in them to do, that the General Peace may be made up under his Majeſty's Direction and Mediation. M. *Colbert* coming to my Houſe next Day, and being upon the Theam of exchanging Ratifications, and executing the Treaty with the Emperor, told me, that the Ratifications had been ſent them above three Weeks ago, and alſo a Commiſſion for to agree here with the *Imperial* Ambaſſadors, the Time, and other Circumſtances, for drawing the Troops of each Party, to march to their own Territories; and that they ſhould have need of my Aſſiſtance; for that he thought that Article, which is the 27*th*, would have great Difficulties in the executing of it, eſpecially if the Elector of *Brandenburgh* did not make his Peace before that Time. I told him, that for the affording of my Preſence in Matters of meer Form, ſuch as I conceived the exchanging of the Ratifications, I deſired to be excuſed, having not aſſiſted at the ſigning. Then ſaid he, there is to be an Embarraſs between you and the *Imperialiſts*: Whereupon I replied, that in Caſe there ſhould any Difficulties ariſe upon the Subject Matter of the Treaty, or the interpreting of any Article of it, (whereon ſhould depend the preſerving of the Peace, and the well executing of the Treaty) I would, upon the Knowledge I have of his Majeſty's great Zeal for the General Peace, and of the Generoſity wherewith he hath ſacrificed his Reſentments to it, aſſiſt and go between them, the *French* and the *Imperialiſts*, unleſs it ſhould pleaſe his Majeſty to command me to forbear.

This was my Anſwer, in Proſpect of this great Incident that is like to be, tho' I am of Opinion, that the *Imperialiſts* will endeavour, in Order to avoid my Offices, to put their Commiſſion for the evacuating of the Places, and withdrawing of the Troops, to be managed by the Nuncio and his Auditor.

This gives me Occaſion to beg your Lordſhip to diſcover, whether I have hit upon a Temperament that is to his Majeſty's Liking, in that I do intend, on the one Side, not to ſee the *Imperial* Ambaſſadors upon any

any Viſit or Matter of Form; and, on the other Side, not to decline going to them, or to receive them at my Houſe, if there ſhould any Buſineſs ariſe relating to the Treaties they have made with his Majeſty's Mediation, or to the Peace and good Order of this Place; nor yet to avoid going to any third Place, where the Buſineſs of my Function ſhall lead me.

HERE is one extraordinary Caſe, wherein I moſt humbly beg his Majeſty's Directions, as well as upon that before; the Miniſter of the Biſhop of *Oſnaburgh* hath been with me, to deſire my Offices with the *Imperial* Ambaſſador, in Favour of the Prince his Maſter; he deſires withal, that Mr. *Skelton* may have his Majeſty's Orders, to apply to the Emperor to the ſame Effect; 'tis not properly the Buſineſs of the Mediation, as your Lordſhip will find in a Paper apart herewith incloſed; it is between Allies, and not Enemies; it is for the Favour and Concurrence of the Emperor at the *Imperial* Dyet, and not to make any Part of our Treaties here; it is, the Prince of *Oſnaburgh* having, by the Treaty of *Munſter*, a Right to ſucceed Alternatively in that Biſhoprick, and the *Romaniſt* being of Courſe to ſucceed this preſent Prince, who is a *Proteſtant*, deſires that his Son may come in and have that Turn; and then for Recompence, two *Popiſh* Biſhops ſhall come in ſucceſſively after him. The Queſtion now is no more, than to do Offices at *Vienna* to this Effect, and not require me to go upon this Errand to the *Imperial* Ambaſſadors here, conſidering my Commerce with them is not now as it was formerly, and that the Thing itſelf is not properly the Buſineſs of the Mediation. But the *Imperialiſts* are the only Miniſters that I am like to have an Embarraſs with, for ſo I gueſs, having not yet heard from them, as I have from all other Miniſters (that I yet hear of being in Town), excepting M. *de la Fuente*, whom I cannot ſee upon an old ſcore.

THIS is all the Account I have to give as to the Ceremonial Part, and how I have acquainted the Miniſters here of his Majeſty's Diſſatisfaction, and of his having ſacrificed it to his Zeal for the General Peace.

AS to the other Point, I had reſolved to enter upon my Function out of Hand, it is thus: The *French* Ambaſſadors, on *Thurſday* Night, excuſed themſelves from receiving the Project of a Peace that I had of M. *Blaſpiel*'s in my Hand; not that they intended to make any Difficulty, or that there could be any in making up the Peace between *France* and the Elector, but that they muſt require, as a previous Condition, that M. *Blaſpiel* ſhould declare, that he did purely and ſimply accept thoſe Conditions, that the Moſt Chriſtian King had in a Manner preſcribed to all the Parties, the 15*th* of *April* laſt: Beſides that, it was in vain for them to receive a Project of Peace, when the Project to be offered at the ſame Time from M. *Blaſpiel* to the *Swedes*, did carry in it the Demand of all *Pomerania*; ſo that, upon the whole Matter, they, the *French*, would not, or could not, he ſaid, do any Thing till this Ally was ſatisfied; only they recommended it to me very much, to do my Offices to bring the *Brandenburgher* and the *Swedes* as near together as I could; and when the *Brandenburgher* ſhould be got off his high Demands of *Stetin*, &c. then they, the *French*, would come in, and bring the *Swedes* to part with ſomething (tho' they could not promiſe it would be a Thing conſiderable) for the Peace's Sake.

M. *Oxenſtiern*, when I ſpoke to him of the Project I had in my Hand from M. *Blaſpiel*, told me, he could receive none, till he were ſatisfied beforehand in two Points; the one was, the Liberty of Correſpondence with the King their Maſter; the other was, the ſetting at Liberty of

thoſe

thoſe *Swedes* that were ſhipwrackt at *Bornholme*, and repairing that high Violation of their Paſſport that he charged the *Dane* with: Beſides, he ſays the *French* Conditions of *April* laſt muſt be accepted purely and ſimply by the *Dane* and *Brandenburgher*, before their Allies the *French* be at Liberty to Treat; and ſince the *French* would not till that were done receive any Project, no more would they the *Swedes*.

But when I told him, I ſhould be in a Condition within a Day or two to ſatisfie him about the Liberty of their Correſpondence, and that it was hard to make this Incident of *Bornholm* to be ſuch an Obſtacle, as to debar us from entering into Negotiation, as alſo that the *French* might put their *April* Conditions into *Contre*-project, as one of their Articles, and ſo the Negotiation would be ſet on Foot; and yet the *Swedes* would have it entire not to conclude, before they were ſatisfied in the Buſineſs of *Bornholm*; as alſo the *French*, till they had an Anſwer upon their Demand, of having the *April* Conditions accepted; he took Time to conſider of the whole Matter, to adviſe with his Collegue, (who is at this Time ill, and admits of no Viſit) and to take his Meaſures with the *French*, about their accepting or not accepting the reſpective Projects that I am ready to give into them.

M. *Blaſpiel* gueſſes, from the Demand that the *French* make, that their *April* Conditions ſhould be accepted; that they do not mean to make a Peace; for if he ſhould accept thoſe Conditions beforehand, the Elector would not have any Pretence to retain any Thing, but muſt reſtore all to *Sweden*: He gave me Liberty, by word of Mouth, to tell the *Swedes*, that however his Propoſition in Writing was for the Ceſſion of *Pomerania* to the Electoral Houſe, yet the Elector would be content to have it for himſelf and the Heirs Male of his Body, and after to return to *Sweden*; only he pretended the Title ſhould be always in his Houſe: Beſides, he would do what he could, that *Sweden* might have Compenſation ſome way or other in the Empire, for what ſhould be parted with to the Elector.

The *Daniſh* Ambaſſador has promiſed me, ever ſince *Thurſday* Night, a Declaration that ſhould be ſatisfactory to the *Swedes*, about their Letters and Couriers; but he will not accept the *April* Conditions, nor the Treaty of *Copenhaguen*, and he will have a *Contre*-project exchanged at the ſame Time that his own is given in.

Thus ſtand the Pretenſions of the ſeveral Parties; but, as far as I can gather, there is but little Hopes of a ſudden cloſe: M. *Blaſpiel* expects new Inſtructions, upon the Report that M. *Meinders* ſhall have made to the Elector, at his Return to *Berlin*; and he let fall to me, that the Elector might poſſibly be adviſed to make a Peace with *Sweden* upon their own Terms, but that he would never adviſe any ſuch Thing, tho' he be the moſt preſs'd of all the Elector's Miniſters; all he hath in the World being in the Dutchy of *Cleves*, and in the Hands of the *French*.

One Thing I perceive that he and the *Dane* do much hearken after, and, which is more, do hope for, that *England* may yet break with *France*; however, that the Treaty between the Emperor and *France* will not be ſo ſoon executed, eſpecially the 27*th* Article, (which I have mentioned already) for emptying of Places, and withdrawing their Troops on both Sides: Nor are they without Hopes, but the Duke of *Lorain*, with what Force he can make, may come into their Party: It is certain, that the Duke will not ratifie, nor does he deſire that the Emperor ſhould ratifie that which concerns him; the Emperor will be willing to raze *Philipsburgh*, (as M. *Cannon* told me) and to procure what further Content he can for *France*, provided ſome Eaſe be given to that Duke.

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THE *Swedes*, on their Side, will come (as far as I can gueſs) to no Concluſion, till their Courier, that has carried hence the Ceſſation of Arms, and their Treaty with the Biſhop of *Munſter*, be returned; and then little of Compliance is to be hoped from them, towards the contenting of the Elector; whom they look upon as decaying of late very much, and not like to hold out long, and therefore concerned to make up his Peace as ſoon as is poſſible.

M. *Colbert* has complained to me exceedingly, in the ſeveral Converſations I have had with him, of the Difficulty they, the *French*, have, to ſatisfie their Ally the *Swede*; which hath obliged him and his Collegue to write to the Moſt Chriſtian King, that let *France* do what it could for *Sweden*, it was in a manner impoſſible to content it; it was therefore his Opinion, (tho' he did not ſay they had writ ſo to the Moſt Chriſtian King) that they muſt at laſt limit the particular Conditions that they ſhall think reaſonable for *Sweden* to accept from the Elector and *Denmark*; and to tell them, that the Moſt Chriſtian King's Treaties and Honour would be fully ſatisfied, in gaining for them ſuch and ſuch Conditions; which, if they would be content with, they would imploy their Offices and Arms to procure them; but if not, *France* was not bound to exhauſt itſelf by continuing in an everlaſting War, to procure for them what they could not demand in Reaſon. This he ſpoke to me in Confidence, and this is all the Account I can yet give of the Negotiations here, after ſeveral Converſations had with each of the Parties.

THE Anſwer that the *French* gave me, upon what the States General had recommended to me, goes herewith, and apart in the Copy of my Letter to the Penſioner upon that Occaſion. I am, *&c.*

L. Jenkins.

Nimeguen, 1ſt April, 1679.

MY LORD,

IN the cloſe of my Letter of yeſterday, I mentioned to your Lordſhip M. *d'Eſtrades* Journey to *Amſterdam*, together with the Reaſon which was given for it, which was, to offer to that City the King his Maſter's Protection. Some Hours after the Poſt was gone, the *Dutch* Ambaſſadors told me, that there was another Reaſon given for that ſudden Motion; which was, that there being a Likelihood there would be 'ere long a Breach between *England* and *France*, the Mareſchal went to fix that City, and to keep it, if not openly and avowedly within the Intereſts of *France*, yet from taking any Part with *England* againſt *France*; this, M. *Heugh* ſaid, he had from a pretty good Hand. 'Tis certain that this Voyage was not thought of by the Mareſchal, till the *French* Letters came in on *Sunday* Morning, nor was it declared to the Family, till the Mareſchal was going to Bed at Night: He went away yeſterday at 6 in the Morning, deſigning to reach *Utrecht* by Night, and then to ſet himſelf in the Night-Boat, that he may be at *Amſterdam* early this Morning. M. *Heugh* told me, that M. *Colbert* is not pleaſed, that he was not acquainted, at leaſt as timely as the Mareſchal himſelf, with this Commiſſion, for he knew nothing of it but what he was told late overnight. The Reaſon given out here for this Voyage is, that the Mareſchal is gone to ſettle his Affairs relating to a Regiment he had formerly in the Service of this State, which he would gladly bring his Grand-child in to. The Mareſchal ſent for *Preüll*, (who, I told your

Lordſhip, was at *Amſterdam* to buy Ships, and to bring them to *Dunkirk*) and would have had him take a Turn hither, upon the preſſing Haſt he was in to return to *Dunkirk*. This is all that I can yet learn of this Matter, which, tho' it be but little and uncertain, yet I ſend it by Expreſs to the *Brill*, in Hopes to overtake the Pacquet-Boat that is to go off with yeſterday's Letters. M. *d'Eſtrades* is to be back on *Friday* next. I am, *&c.*

L. Jenkins.

Nimeguen, 3d April, 1679.

My Lord,,

HAVING given your Lordſhip a much longer Trouble by my laſt of the 31*ſt*, and by another of the 1*ſt* Current, than I would willingly have given, eſpecially in Parliament Time, I'll endeavour to make ſome Amends by this, in being ſo much the ſhorter.

Here is nothing yet ripe in any Negotiation between the *Northern* Miniſters, only I flatter myſelf the *Swede* and the *Brandenburgher* will be brought off the Preliminaries: I am poſſeſſed likewiſe with two Treaties of Peace and Commerce, and the Differences upon them, between the *Swede* and *Dutch* Ambaſſadors, but have made as yet no Progreſs in them.

M. *Colbert* was with me this Morning, to acquaint me, that M. *Calvo* had had Orders of the King his Maſter, to forbear all Military Executions in the Country of *Cleves*, on the other Side the *Rhine*, (which was a Thing the *Brandenburgh* Ambaſſador ſtood upon at the making up of the Ceſſation) till after the Expiration of it, which will be the 1*ſt* of *May*, *N. S.* and he and his Collegue, who (he told me) would be back from *Amſterdam* to Morrow at Night, will write effectually to M. *Calvo*, to have this obſerved.

This News I carried ſtrait to M. *Blaſpiel*, who received it with great Joy, for the Intereſt and Compaſſion he hath for thoſe poor People. I had a long Debate with him, upon the Preliminaries he hath depending with the *Swedes*; I find him fair and pliable, and the *Swedes* are brought about very much as to him, but not as to the *Daniſh* Ambaſſador at all; the Offices of M. *Colbert*, whereof he was pleaſed to give me an Account at large laſt Night, having been very prevalent with them.

The *Imperial* Ambaſſadors ſent a Gentleman to me laſt Night, to deſire me to give them an Hour, that they might *ſee me and ſerve me*, thoſe were his Words, at my Houſe: My Anſwer was, that if it was Matter of Ceremony only, or Matter of meer Formality in the Negotiation, ſuch as my aſſiſting at the Exchange of the Ratifications, I found myſelf firſt obliged to write, and humbly beg to know his Majeſty's Pleaſure, before they ſhould take any ſuch Trouble upon them; but if there was any Incident fallen out, or any Office relating to my Function to be done between them and any other, that were Parties to the Treaties, I was ready to receive them, and to do my Office, as near as I could, anſwerable to his Majeſty's Intentions and Zeal for the Publick Peace. The Gentleman took upon him to ſay, it was no Formality as he believed, and that if I pleaſed, he would inform himſelf further underhand: I told him, his Maſters could quickly determine that; and deſired him to let them know, that if they had any Offices to recure me, in order to the Ends abovementioned, I ſhould be ready at all Hours to ſerve them.

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I thought this to be the beſt Way, and upon ſuch an Opportunity, not to conceal that his Majeſty had Reſentments of what is paſt, and that he did not ſacrifice them to any other Conſideration, but that of the General Peace: At leaſt, I thought the leſſer Complaiſance I ſhew'd, upon a captious and cold Addreſs as this was, was the ſafer Hand for me to err on, ſince his Majeſty's Diſſatisfactions had been ſo publickly taken Notice of.

M. *Colbert* asked me laſt Night, whether I could ſuffer that the Ratifications ſhould be brought by the Secretaries on both Sides unto my Houſe, and fetch'd away again by Secretaries; I excuſed myſelf with telling him, that if there aroſe any Difficulty relating to the exchanging of the Ratifications, I was ready to do ſuch Offices as might be uſeful to reconcile any Difference; but for the Ceremony of exchanging, his Majeſty's Miniſters having not had the Part they pretended in the ſigning, I could not enter into it without further Order; which I beſeech your Lordſhip to ſend me, if I have erred in any of theſe Steps; but M. *Colbert* ſeemed to be ſatisfied. I am, *&c.*

L. Jenkins.

Nimeguen, 7th April, 1679.

My Lord

SINCE my laſt of the 3 *d*, we have been able to make no Progreſs, either in the Peace of the *North*, or in that between *Sweden* and this State. The laſt Letters the *Brandenburgh* Ambaſſador hath from *Berlin*, are indeed after the Elector's Arrival there, but M. *Meinders* was not yet come; and conſequently nothing final could be expected from the Elector: The Expreſs that carried the Peace with the Emperor to the King of *Sweden*, is not yet returned; and for that Reaſon the *Swediſh* Ambaſſadors here do in a Manner decline Conferences, only they are content to wave the Preliminaries between them; and the Ambaſſador of *Brandenburgh*, provided he declares beforehand that he accepts of the *French* Conditions propoſed in *April* was 12 Months, and conſents to the entire Re-eſtabliſhment of the Treaties of *Weſtphalia*; which, if he does, amounts fully to the yielding up of all his Majeſty's Pretenſions.

I had Conference on *Saturday* with the *French*, upon Occaſion of this rigorous Demand of the *Swedes*; they told me, their Orders were expreſs to ſtand by them; only they added, that when the *Brandenburgh* Ambaſſador ſhould ſo moderate his Demands, that they, the *French*, might judge it reaſonable for the *Swedes* to cloſe with them, rather than continue the War, they would then come in and joyn with me; and if their Offices would not do, they hoped the King their Maſter would ſpeak effectually, and bring the King of *Sweden* to cloſe with the Elector. But when they ſaid it muſt not be any conſiderable Matter that the Elector muſt pretend to retain; ſome Parcels of Land that the *Swedes* got from him by particular Agreements, after the Peace of *Weſtphalia* was made, he may have again, and that will be all.

The Ratifications between the *French* and the *Imperialiſts* are not yet exchanged, tho' it be 8 or 9 Days ſince the *Imperialiſts* received theirs; the Difficulty is, as I underſtand from others, the *Imperialiſts* would have an Act from the *French* Ambaſſadors, to declare that the Duke of *Lorain*, not ratifying within the Time limited, the Emperor and Empire are not bound to make good any Thing that is promiſed in the Treaties on his Behalf; but that the Articles are to be reputed *pro non ſcriptis*, and

that this Caſe is to be put off to further Treaties: This Declaration the *French* Ambaſſadors have not yet given.

THE *Swediſh* Ambaſſadors, for their Parts, have given in the Proteſtation that goes herewith incloſed; to the End it may appear, there wanted no Diligence on their Part, tho' their Ratification ſhould happen not to come to hand within the Time.

YESTERDAY the *French* Ambaſſadors were with me, to tell me, that the King their Maſter had, by the Letters they had newly received, commanded them to make it Publick in this Aſſembly, that he deſires nothing more heartily than a General Peace; that in order to have it ſpeedily, there was not any better Means, than to be in a Condition to proſecute the War effectually; that he had appointed two great Armies to be drawn together, and to be in a Readineſs, the one in *Alſatia*, and the other in the Neighbourhood of the *Bas-Rhine*, and there to expect the Exchange of the Ratifications; and not only that, but the executing the Peace, by withdrawing of the *Imperial* Troops into the Hereditary Countries, and by the voiding of thoſe Places that the Emperor now poſſeſſes, and is, upon the Peace, to give up to their Proprietors in the Empire.

THEY did not deſire me to paſs any Office upon this Point with the *Imperial* Ambaſſadors, or any other; whether the Emperor will be brought to do this, a little Time will ſhew; but his Ambaſſadors, in the Conferences we have had upon this Matter at the making up of the Treaty, did induſtriouſly avoid to promiſe the Thing expreſly, and would not be brought to mention the Retreat of the Emperor's Troops into the Hereditary Countries, ſince the Troops of *France* were not to retreat within the *French* Territories, but to continue in the Poſts aſſigned them in the Empire.

ANOTHER Thing they told me out of the ſame Letters, and deſired me to paſs my Offices upon it towards M. *Blaſpiel*; it was, that the Moſt Chriſtian King, upon the Complaint of M. *Coningsmark*, doth highly reſent, that the Elector of *Brandenburgh* does refuſe to him the Securities that are neceſſary for him and his Troops to paſs into *Sweden*; therefore it was expreſly ſaid in the Letter, that if the Elector do not procure for him the free Paſſage that he hath promiſed; as alſo procure thoſe that are Priſoners, after they had been wrack'd at *Bornholm*, to be ſet at Liberty, he the Moſt Chriſtian King — *prendra toutes les occaſions de Luy en faire c prouver ſon reſſentiment particulier, & de Luy faire connoitre combien il eſt indigné d'un ſemblable procedé à l'egard de ſes Allies.* Theſe were the very Words of the Letter: I gave an Account of them immediately to M. *Blaſpiel*, and telling him likewiſe of the two great Armies that *France* intended to have on Foot, his Reflexion was, (particularly as to the Army upon the *Bas-Rhine*) in beſeeching GOD there might no Miſchief befal the Kingdom of *England* by this great arming, which does not ſeem ſo neceſſary for to bring about the Execution of the Peace between *France* and the Empire. I am, *&c.*

L. Jenkins.

Nimeguen, 10th April, 1679.

MY LORD,

SINCE my laſt, which was of the *7th*, M. *Blaſpiel* deſired me to repreſent to the *French* Ambaſſadors, how reaſonable it was that the Moſt Chriſtian King ſhould procure to the Elector of *Brandenburgh* a Peace

Peace that ſhould be at leaſt of equal Advantages to him, as that is which was lately made at *Zell*, by the ſole Procurement of *France*, to the Houſe of *Lunenburgh*. 2. That tho' the Elector ſhould have all he hath gained in *Pomerania* yielded and made over to him, yet this Peace would not be at all as advantageous to him, as that of *Zell* is to the Princes of *Lunenburgh*. 3. That to the End *Sweden* might not be thought to part with *Pomerania* without a Compenſation ſome other Way, the Elector was ready to ſhew how that may be done, partly by *France*, partly by the Empire, and partly by himſelf.

But the *French* Ambaſſadors were ſo far from reliſhing any Thing of this, or entering into a Diſcuſſion of the Reaſon, when I laid it before them, which was on *Tueſday* laſt, that M. *Colbert* ſaid, they would leave *une propoſition ſi honteuſe*, to be anſwered by M. *Calvo*, who was then in Town; that he would be ſure to do it as ſoon as ever the 1*ſt* of *May* came, for then the Ceſſation of Arms expires; that this was to be anſwered no other Way, than by the Mouth of good Cannon; that they would ſtick to their Allies, ſo as to bring the Elector to render to *Sweden* every Inch of the Poſſeſſions he had gained; and that the Elector had failed the King their Maſter in his Word on ſeveral Occaſions; and more to that Purpoſe, all with great Heat.

The Truth is, this Anſwer, and the Manner of it, was ſuch, that I could not but ſuſpect, upon comparing it with the Conference I had had with them but on *Saturday* laſt, about the Means of making up the Peace between *Sweden* and the Elector, that they had ſome ſharper Orders that had ſince intervened. This I am the more apt to believe, becauſe that being yeſterday with the Mareſchal, to deſire him to write for a Prolongation of the Ceſſation of Arms; he ſaid, it was not to be done, and that they durſt not write about it, M. *Calvo* having had ſtrict Orders to paſs the *Rhine* as ſoon as ever the Ceſſation is ended, and to poſſeſs himſelf of all the Elector's Countries in his Way to *Lipſtadt*, *Minden*, &c. to the *Weſer* Side; that the Elector, on the other Side, takes very wrong Meaſures, which do much offend the Moſt Chriſtian King, in that he thinks of abandoning his Countries here, and to defend *Pomerania* againſt all the Powers of *France*; whereas he will be leſs able (as M. *Colbert* expreſſed it upon another Occaſion) to ſet out 10,000 Men, than *France* to pour in 100,000 Men upon him. Beſides, the Houſe of *Lunenburgh* do already put themſelves into a Poſture to oppoſe the Paſſage of any Troops of his to the Defence of *Minden*, or any Thing elſe he hath on this Side their Country.

If the Moſt Chriſtian King do reſent it as a great Diſappointment to him, that the Elector did not give in to the Peace, I humbly ſubmit it to Conſideration, whether he did not intend, in caſe the Elector had made his Peace, to imploy theſe Forces ſome other Way; it being in every body's Mouth here, that *France* is deſigning ſome Miſchief againſt *England*; and the Ground they generally go upon is, the great Force that is continued ſtill on Foot in *Flanders*. I cannot learn there are above 10,000 Men in theſe Countries of *Cleves*, *Juliers*, and *Cologn*, for their Expedition towards *Weſer*: M. *d'Eſtrades* did not ſpeak of their Number, but that they are to be re-inforced with 20,000 Men out of *Flanders*.

When I gave M. *Blaſpiel* an Account how the *French* Ambaſſadors rejected his Overture, and that there were no Hopes of building any Thing upon that Foundation; he profeſſed ſeriouſly to me, he had no Orders to go any Thing lower, and that he dares not adviſe his Maſter to ſubmit to the ſhameful Terms that *Sweden* would reduce him to, but rather

rather to run the Hazard of all Extremities; tho' there might be ſome that would adviſe him otherwiſe.

M. *Blaſpiel* took Notice to me, in this Converſation, of the Talk that is at preſent in this Town, how the Elector is making his Peace, ſome ſay at *Berlin*, others at *Hamburgh*, and that he intends not to have it concluded here; it being confidently given out, that the Count *de Rabenac* is already at *Berlin*; others will have him to be, as 'tis moſt certain he was by the laſt Letters, at *Hamburgh*; and that M. *Meinders* was going from *Berlin* to join him there. To ſhew how groundleſs theſe Reports are, he produced a Letter from M. *Meinders*, of the 29*th* of the laſt Month, *O. S.* it was written about half way between *Zell* (where he had made a Halt for ſome Days) and *Berlin*, whither he was haſtening; in his Letter, he wrote that he had been much made of by the Dukes of *Zell*, that he had met the Sieur *de Rabenac* there, and that he had told him, he had no Orders from the King his Maſter to go to *Berlin*; this he deſired me to take Notice of, and to make an humble Repreſentation of it to his Majeſty; adding withal, that the Elector does rely (and will do) ſo much the more upon his Majeſty's Mediation, as that he finds his Majeſty hath been pleaſed to ſend a Miniſter hither back again, in Conſideration of the Elector.

These Reports of Conferences at *Hamburgh* are ſo much the more ſtrong, that C. *Antoine d'Oldemburgh* is come thither, and has had Conferences with the C. *de Rabenac*; but one of the *Holſtein* Miniſters told me laſt Night, that one of the great Ends (if not the only one) of C. *d'Oldemburgh*'s coming thither, and of the King of *Denmark*'s coming to the Neighbourhood, that is, to *Gluckſtadt*, is to bring the Duke of *Holſtein*, if poſſible, to a ſeparate Accommodation from *Sweden*; which that Duke hitherto abſolutely refuſeth to hearken to, reſolving not to make his Peace, till the King of *Sweden* do make his.

On *Tueſday* Evening M. *Oxenſtiern* was with me, to acquaint me, that having received from the King his Maſter his Ratifications of the Peace with the Empire, he and his Collegue were commanded to expreſs the high Sentiments of Thanks that their King had for his Majeſty, for his great Affection for the Good of that King and Kingdom, for his indefatigable Pains in his Offices of Mediator, and for the happy Concluſion he had by his Directions put to the Peace between *Sweden* and the Empire. This he deſired might be repreſented to his Majeſty, as a Matter that the *Swediſh* Ambaſſadors had in ſpecial Charge to acquit themſelves of, as ſoon as their King's Orders came to their Hands.

In the next Place, he told me, that having received their Ratifications, he and his Collegue wiſhed very much they might paſs through my Hands; that it was a great Regret to them, that his Majeſty's Ambaſſadors did not aſſiſt at the ſigning, as it had been always their Meaning that they ſhould have the Place due to them at the Solemnity; and that it was the common Cauſe of Kings that we maintained, and that they would always look upon it as ſuch; that it was very much for his Majeſty's Honour, that he was pleaſed to allow of my Return to do my Functions, as before, in the *Real*, and that they durſt not ask me to do it in the *Ceremonial* part; only his Majeſty having therein taken a Temperament, which ſuited beſt with his own Zeal for the General Peace, and with the preſent Needs of *Chriſtendom*.

Another Thing was, to excuſe to me M. *Sikercroon*, who had promiſed to give me in Writing the Day before, that Light and Proſpect in the Differences between the *Swedes* and the *Dutch* about their Commerce, as would enable me to bring both Parties to a cloſe; that upon

their Debate of the Matter, they had found it to be the beſt Way, that M. *d'Olivenkrantz* ſhould forthwith go to the *Hague*, (as he was gone that Morning) notwithſtanding a very great Indiſpoſition upon him, and take M. *Silvercroon* along with him; in Hopes that, during the preſent ſitting of the States of *Holland*, they might put an End to that knotty Buſineſs upon the Place; but ſo, he ſaid, as to do no more than to prepare Things, and bring them to a Point, but the Treaty to be ſigned here. This was ſomewhat ſurprizing to M. *Haren*, whom I acquainted preſently with it, and to myſelf; but we thought this ſudden Change proceeded from ſome new Orders that the laſt Courier may have brought them, together with the Ratifications.

I did not fail, upon this Occaſion, to mind him of the State in which the Buſineſs between him and *Brandenburgh* lay, and how two thirds of the Time for the Ceſſation was now lapſed; but in this he was not at all more flexible than at other Times, requiring that before all Things, M. *Heugh* and M. *Blaſpiel* ſhould declare, that the Treaties of *Weſtphalia* and *Copenhaguen* ſhould be reſtored in all their Points; which is as much as to ſay, that thoſe Ambaſſadors are to have nothing in a manner left to pretend to, or to Treat upon.

The Ratifications between the *Imperial* Ambaſſadors on the one Side, and the *French* and *Swediſh* Ambaſſadors on the other, were exchanged yeſterday, by Secretaries going between them, and to their reſpective Houſes. I was this Day at M. *Blaſpiel*'s and M. *Haren*'s, to inform my ſelf of all Particulars; which (it being ſo late before I have their Anſwer) I humbly take Leave to reſerve for my next. I am, *&c.*

L. Jenkins.

Nimeguen, 14th April, 1679.

My Lord,

Since my laſt, which was of the *10th*, I have the Favour of one of the *4th* Current from your Lordſhip to acknowledge.

The Circumſtances relating to the Exchange of the Ratifications, that I would have added in my laſt, (but that I was ſtraitned in Time) were theſe: The *Imperial* Ambaſſadors, before the Exchange was made, were upon a ſolemn Complement with the *Daniſh* and *Brandenburgh* Ambaſſadors in their Houſes; they came, they told them, in Conformity to the Alliance that the Emperor hath with the King of *Denmark* and the Elector of *Brandenburgh*, to acquaint them with the Step they were then going to make, and to aſſure them, that the Emperor held that Alliance to be ſtill binding and entire, notwithſtanding they were ſo unhappy, as to have been forced to vary from that one Point, in not making the Peace jointly, but to ſeparate from their Allies; that the Emperor would do his beſt to procure to thoſe Allies that Satisfaction that the Alliance between them bears.

For the Manner of exchanging the firſt Propoſal, which proceeded from the Nuncio's Auditor, was, that it ſhould be done by the Ambaſſadors themſelves, and that the *French* ſhould firſt go to M. *de Gurck*'s Houſe, and leave their Inſtruments there; for it was done juſt ſo at *Munſter*, neither the Nuncio, nor the *Venetian* Ambaſſador, (who were the Mediators there) appearing, much leſs intervening.

This the *French* were content to do; but M. *Stradtſman* could not frame himſelf to this Expedient, he having not all this while ſeen the

French

French Ambaſſadors, (except it were in the Perſonal Conferences they had in my Apartment at the Stadthouſe) by reaſon of an Embarraſs depending between him and them, ever ſince the firſt Entre-viſits of Ceremony.

THE Exchange being then committed to the Secretaries, the *French* Secretary went firſt to the Biſhop of *Gurck*'s, and having firſt exhibited the Inſtrument of Ratification from the Moſt Chriſtian King to the Emperor, he produced another ſeparate Inſtrument of Ratification to the three Eſtates of the Empire; this being unexpected to the *Imperial* Secretary, he went up Stairs, to conſult the *Imperial* Ambaſſadors upon it, who gave him Order to receive the laſt Inſtrument likewiſe, if it were preſs'd upon him, and to tell the *French* Secretary, that the *Imperial* Ambaſſadors would ſend that alſo to the Emperor, to diſpoſe of it as he ſhould think fit.

THIS Point is reckoned as a great one gained to the Prejudice of the *Imperial* Superintendency; for tho' it be true that the *French* gave in two Inſtruments of Ratification at *Munſter*, yet they were both of them exactly of the ſame Tenor, and not as theſe were, the one for the Emperor, and the other for the Eſtates of the Empire.

WHEN the *Imperial* Secretary came to the Mareſchal's, the *French* Secretary demanded over and above the Emperor's Ratification, the Original Concluſion of the Dyet at *Ratisbon*, whereby the Treaty is approved, and the Emperor hath the Conſent of the States to ratifie it. There was a Copy produced; it was pleaded for the *Imperialiſts*, that have but one Original, they could not give it to the *French*, for that the *Swedes* would have a Pretence to an Original likewiſe; but Recourſe being had to the *Swedes*, they ſaid they would be content with a Copy, and ſo the *French* had the Original. This is all that I know worth your Lordſhip's Notice in this Buſineſs; only M. *Colbert* went to complement M. *de Gurck* next Day, who, as 'tis ſaid, told him, that this Peace was ſcarce to be reputed compleat, much leſs ſure, until that of the *North* too be made up.

Thurſday Evening the Duke of *Lorain*'s Miniſter came to me, and having enlarged much upon the ſad Condition the Duke his Maſter is left in by ſo many potent Allies, notwithſtanding their Obligations by Treaty; he left with me a Proteſtation in Form againſt the ſeveral Articles that relate to *Lorain*, in the Treaty now ratified between the Emperor and the Moſt Chriſtian King; a Copy of the Proteſtation goes herewith.

ON *Friday* I went to the *French* Ambaſſadors, and made it my Suit to them, to provide themſelves of a Faculty (if they be not provided already) to prolong the Term of the Ceſſation, which will be expired this Day ſevennight: They anſwered me very civilly, that they would write, but had no Hopes to obtain any Thing, in regard that two thirds of the Time were paſs'd, without ſo much as entering into the main Buſineſs; which they attributed to the Inflexibleneſs of the Elector of *Brandenburgh*; but that that ſhould do him no Good, they ſaid; for that 1. M. *Calvo* had his Orders already, to paſs the *Rhine* as ſoon as ever *May* Day, *N. S.* comes. 2. That the Dyet at *Ratisbon* will ſuddenly ſend their Summons to the Elector to lay down his Arms. And, 3. That his own Neighbours are arming very ſtrongly to oppoſe his Paſſage this Way.

THESE two laſt Points M. *Blaſpiel* allows to be certain, but Lieutenant General *Spaen* told me on *Saturday*, that M. *Calvo* cannot be ſo ſoon ready to paſs the *Rhine*.

WHEN

When I propoſed in like Manner the prolonging of the Term of the Ceſſation to M. *Oxenſtiern*, he gave no Anſwer, but that he would ſpeak with his Allies here, and would write to his Collegue at the *Hague*; only he obſerved to me, that a Prolongation would be very inconvenient for the King his Maſter, he having appointed the 1*ſt* of *May* for a General Rendezvouz of his Horſe in *Schoonen*, which will be a Body of 13,000 Horſe, beſides 14,000 Foot.

The *Swediſh* Ambaſſadors have at laſt accepted of an Accommodation with the Ambaſſadors of *Denmark*, about their Correſpondence; the Manner I have entered it goes along, for it was agreed that it ſhould not be a Declaration from the *Dane* to the *Swede*, but to me; and both to have Copies of it from my Entry.

Having been with the *French* this Day, with a Propoſition from the *Brandenburgh* Ambaſſador, I find the Elector hath made a great Step towards *France*; it is, he offers to depoſite ſome ſtrong Place in the Country of *Cleves* in the Hands of the *French* for a Gage, that the Elector will Treat in good earneſt upon any reaſonable Propoſition. I know no Place that deſerves the Name of ſtrong, but that of *Weſel*. I found the *French* Ambaſſadors reliſhed the Propoſition as ſoon as I brought it to them this Afternoon. M. *de Spaen* had, I perceived, given them a Taſt of it on *Friday* laſt.

I came juſt now (as I am cloſing) from ſpeaking with the Ambaſſador of *Brandenburgh*, about the free Paſſage of his Highneſs Prince *Rupert*'s Yacht. He promiſeth all that is deſired within his Maſter's Territories, and to furniſh the Yacht with ſuch Paſſports when it comes up hither, as ſhall clear the reſt of the Way. But I do not intend to rely upon that; 'tis true here are no Miniſters of the other Princes concerned, yet I ſhall apply by ſome Means or other to all of them for ſo reaſonable a Thing.

I have this Day acquainted the *Holſtein* Miniſters with his Majeſty's gracious Orders relating to their Maſter, for which they were exceeding thankful. I am, *&c.*

L. Jenkins.

Nimeguen, 17th April, 1679.

My Lord,

My laſt I troubled your Lordſhip with was of the 14*th*, I have now the Favour of one from your Lordſhip of the 8*th* to acknowledge, and therein the infinite Grace and Goodneſs of his Majeſty, in that he is pleaſed not to diſapprove the Courſe I took upon my returning hither, in declining nothing that was *Real*, and in avoiding every Thing that was *Ceremonial*.

That which hath been offered to the King, concerning an Article of Amneſty to all the Princes of the Empire, in order to have ſome ſuch Articles added in ſome of the Treaties that are yet to be made, I fear is hardly practicable at this Time; the Powers of the *Imperialiſts*, *French*, and *Swedes*, naturally expiring, after the Treaties between them were brought to a Concluſion and ſigned: If any ſuch Article be offered, it muſt be to them; for they are the only Parties capable to ſtipulate ſuch an Article.

His Electoral Highneſs *Palatine* obſerved the Want there would be of ſuch an Article, but adviſed me not of it, till about a Week after the Treaties between the Emperor, *France*, and *Sweden*, were ſigned.

His Electoral Highneſs deſired me to propoſe it, not as from him, but to bring it in ſome other Way; but finding it too late to do it after the Peace was ſigned, I had Recourſe to him again, and he thought fit not to require any ſuch Thing at my Hand.

Upon this Occaſion, I took Leave to lay before his Electoral Highneſs, that theſe Treaties of *Nimeguen* being ſo twiſted (as they are) with the Treaties of *Weſtphalia*, theſe are to be the Rule by which thoſe of *Nimeguen* are to be interpreted in all future Ages: Now the Amneſty in thoſe Treaties of *Nimeguen*, are the ſame to a Syllable with that in the *Weſtphalia* Treaties; and ſince the Amneſty in theſe Treaties hath been ſacred enough to keep the Peace between one State of the Empire and another, tho' there be no expreſs Clauſe that makes the Amneſty to reach between the Eſtates of the Empire, as it does between the Parties Principal in the Treaty; I will hope that the Amneſty in the Treaties of *Nimeguen* will be reputed no leſs ſacred, and will compriſe within the Equity of it an Abolition of all the Bruſhes and Claſhings, that may have been between the one Eſtate of the Empire and another, as well as the Hoſtilities between the Emperor, and the Crowns of *France* and *Sweden*. I am, *&c.*

L. Jenkins.

Nimeguen, 21ſt April, 1679.

My Lord,

I Have in my laſt, which was of the *17th*, acknowledged the Favour of one from your Lordſhip of the *8th* Current: I have acquainted M. *de Platen*, the *Oſnaburgh* Miniſter, as I was directed by your Lordſhip, with his Majeſty's Reſolution to give the Biſhop of *Oſnaburgh* his Aſſiſtance at the Court of *Vienna*, and to give Orders to Mr. *Skelton*, to imploy his beſt Offices, in his Majeſty's Name, as ſoon as his Majeſty ſhould know the Time when the Pretenſions of that Prince were to be ſet on Foot at that Court.

M. *de Platen* expreſſed a great Joy at what I told him, of his Majeſty's having, over and above the great Conſideration he hath for the Houſe of *Lunenburgh*, a particular Eſteem and Friendſhip for the Prince his Maſter; and for the preciſe Time that his Pretenſions are to be ſet on Foot at *Vienna*, he deſired it might be humbly repreſented to his Majeſty, that it is at this very Time, and that the Marquiſs *de Grana* hath undertaken the Management of it: And M. *Platen* deſires, that Part of Mr. *Skelton*'s Order may be, to joyn with M. *de Grana*, and to take what Light he will be able to give him. He likewiſe deſires, that if it may ſtand with his Majeſty's Pleaſure, Mr. *Savile* may be writ to, to the ſame Effect, in *France*; for the Prince of *Oſnaburgh* ſollicits at this Time, with all the Intereſt he hath, the Concurrence of the Moſt Chriſtian King; his ſpecial Confidence in that Court is in M. *de Gourville*.

Yesterday M. *Blaſpiel*, the *Brandenburgh* Ambaſſador, deſired me to remonſtrate with my moſt preſſing Offices to the *French* Ambaſſadors, that M. *Calvo* had, before the Ceſſation was expired, paſs'd the *Rhine*, and poſſeſs'd himſelf of a Caſtle called *Angeroort*, belonging to the Duke of *Newburgh*, and ſcituated in *Berguland*, but bordering cloſe upon the Country of *Cleves*, on the farther Side of the *Rhine*; that this was a Violation of the Ceſſation, and the more, in that the *French* had ſhot out of that Caſtle upon the *Brandenburgh* Soldiers, after they had been notified, that there was no Hoſtility intended on the *Brandenburgh* Side; and

and therefore M. *Blaſpiel* deſired, that the *French* Ambaſſadors would give M. *Calvo* ſuch Orders, that no Hoſtility might be committed, not only before the Ceſſation expired, but alſo that an Order might be had from the Moſt Chriſtian King, to the Propoſition that they, the *French* Ambaſſadors, had received from Lieutenant General *Spaen*, and had charged themſelves with on *Friday* laſt was ſevennight, to procure the Anſwer of their King upon it. The *French* Ambaſſadors did not take upon them to juſtify M. *Calvo*'s paſſing the *Rhine*; but anſwered briskly, that they would give M. *Blaſpiel* a Meeting out of Hand at my Houſe, and would, if M. *Blaſpiel* was inſtructed, as they were, (they having received a Courier but two Hours before) they would quickly come to a Settlement of that whole Matter.

The *French* Ambaſſadors and M. *Blaſpiel* being met, the *French* asked M. *Blaſpiel*, whether he had Power to put *Weſel* and *Lipſtadt* into the Hands of the *French* till the Peace was made? He having anſwered yes; they told him, they, on the other Side, had Power to prolong the Ceſſation for 10 Days longer, in Caſe *Weſel* alone were put into their Hands, and alſo to add 5 Days to thoſe 10, in Caſe *Lipſtadt*, as well as *Weſel*, was given to them.

Here M. *Blaſpiel* ſaid, his Orders were not to give up either, or both thoſe Places, for to obtain ſo ſhort a Prolongation; they were to be a Pawn that the Elector would treat in good Earneſt, but that the Elector expected not to be limited to ſo ſhort a Time and Term as 15 Days; and that he would hardly believe the Elector had given M. *Spaen* Orders to make any ſuch Propoſition.

After a long Debate, the Iſſue was, that M. *Blaſpiel* ſhould ſend in all poſſible Haſte for M. *Spaen*, to come hither from *Weſel*, where now he is; and that the *French* Ambaſſadors would write to M. *Calvo*, to forbear Hoſtilities for this Day and to Morrow. M. *Blaſpiel* blames M. *Spaen* extreamly, for making ſuch a Propoſition, whereby two ſuch important Places are to be relinquiſh'd in Exchange for 15 Days Ceſſation only, without knowing any Thing of the Terms of the Peace.

M. *Blaſpiel* acquainted me on *Saturday*, by Order, as he ſaid, from the Elector his Maſter, that the Elector of *Saxony* had offered his Mediation between him and the Crown of *Sweden*; that the Elector of *Brandenburgh* had cauſed the *Saxe* Miniſter to be anſwered, that the King our Maſter had thoſe Differences committed to his Mediation, and the Elector muſt acquaint his Majeſty with the Offer, which M. *Blaſpiel* deſired might be done by me, adding it was the Elector's meaning not to depart from his Majeſty's Mediation.

M. *Heugh* was with me the ſame Day upon an Errand not unlike this, by Order of the King of *Denmark*, to deſire his Majeſty might be acquainted, that M. *Meyercroon* is gone for *France*, to ſollicit a Continuation of the Ceſſation, and that the Moſt Chriſtian King would remit of thoſe hard Terms he inſiſts on in the Behalf of *Sweden*; but that the King his Maſter ſticks cloſe to his Majeſty's Mediation.

This Day a third Poſt came from *Copenhaguen*, with Confirmation of the King of *Sweden*'s Death; yet I can ſee nothing in all that is come, but what is conjectural. I am, *&c.*

L. Jenkins.

Nimeguen, 24th April, 1679.

My Lord,

IN my laſt of the 21*ſt*, I gave your Lordſhip an Account, how Lieutenant General *Spaen* was expected here that *Monday*, to explain himſelf upon the Elector of *Brandenburgh*'s Orders to him, to conſign *Weſel* and *Lipſtadt* to the Hands of the *French*, till the Elector's Peace be made and ratified.

He not coming, the *French* Ambaſſadors came early next Morning to my Houſe, to denounce to me, that in Caſe M. *Spaen* came not, or at leaſt that the depoſiting of thoſe Places were not agreed between M. *Blaſpiel* and them before 2 a Clock that Day; they muſt write to M. *Calvo*, that the Suſpenſion of Arms was at an End, and that he was to follow the Orders of his King.

About an Hour after, they and M. *Blaſpiel* met at my Houſe, and it was at laſt agreed, that M. *Colbert* and M. *Blaſpiel* ſhould take a Journey to *Zanten*, a Town about 9 Hours off, between *Cleve* and *Weſel*, there to meet M. *Spaen* and *Calvo*, and to adjuſt the Matter of rendring thoſe Towns, and prolonging the Armiſtice, if it was to be done.

The two Ambaſſadors, and the two Lieutenant Generals, met yeſterday about 2 in the Afternoon at *Zanten*, and ſate at it till 2 this Morning; it was there agreed, that on *Monday* next 4000 *French* ſhould take Poſſeſſion of *Weſel*, and that 2000 ſhould march the ſame Day from *Ordinghen* towards *Lipſtadt*, as a *Brandenburgh* Commiſſary ſhall guide them, to take Poſſeſſion of that Fort; the *Brandenburghers* being to void theſe two Places as the *French* come in: In lieu of this, the *French* have prolonged the Ceſſation to the 20*th* of this Month, *N. S.* Excluſive; and given Hopes that it may be further prolonged when theſe Gages are in Hand.

This I have from M. *Blaſpiel* himſelf; the Articles of the Prolongation cannot be tranſcribed to go by this Poſt; M. *Colbert* I have not yet ſeen, but he ſent me Word, he will be with me preſently, being but newly up: Both Ambaſſadors were here from *Zanten* by 7 this Morning; there is now but little doubt made of the Elector's Peace. I am with great Reſpect, *&c.*

L. Jenkins.

POSTSCRIPT.

JUST as I am cloſing, M. *Colbert* call'd upon me; the Account he gives is no more than what is above, and what is contained in the Articles, which were ready ſooner than I thought, and ſent your Lordſhip by this Ordinary.

M. *Colbert* ask'd me, what News I had of a Rencounter between our Men of War and theirs; of which I have not one Syllable, nor he neither, but by Report that ſome Letters brought from the *Hague* to this Town this Forenoon, that ſix of his Majeſty's Ships ſhould be engaged againſt ſeven of the *French*. M. *Heugh* reports it, that they were four of ours againſt twelve *French* Men of War: I beſeech God to bleſs his Majeſty's Forces abroad, and Counſels at Home; M. *Petcum* diſcourſed to me yeſterday his own Opinion, and that of ſome others, that when the *French* are at Leiſure, they will fall out with us.

Nime-

Nimeguen, 24th April, 1679.

My Lord,

SINCE my Diſpatch of this Day went to the Poſt, M. *de Haren*, the *Dutch* Ambaſſador, calls upon me, to enquire after what the two Ambaſſadors, and the two Lieutenant Generals had yeſterday agreed at *Zanten*. When we were over that Point, he told me, he had been at the Mareſchal *d'Eſtrades* a little before, and that the Mareſchal, among other Things, ask'd him what News his Letters brought him of the Rencounter between our Men of War, and thoſe of the *French*, that met in the Channel; that he, M. *de Haren*, had given the Mareſchal an Account of what his Letters purported; and hoped, that ſuch an Accident would have no ill Conſequences upon the preſent Peace between the two Nations: The Mareſchal replied, there was no entring into Competition with his King; that he would ſet out 100 Sail of Men of War in theſe Seas, beſides as many Gallies in the *Mediterranean*, as would deſtroy the *Engliſh* Trade.

M. *de Haren*'s Reflexion upon this was, that he very much doubted *France* intended us Miſchief; and that which confirms him in that Opinion is, M. *d'Eſtrades* going to his Government of *Dunkirk*, as ſoon as he had ſpoke with the King his Maſter; and that the greateſt Part of his Goods are to be ſhipp'd ſtraight for *Dunkirk*, and not carried into *France*; this M. *de Haren* ſaid, he was ſure of, for the Mareſchal had deſired him to procure Paſſports for the Ships that the Mareſchal's Goods are to be ſhipt in. This I thought it my Duty to give your Lordſhip an Account of, that you may pleaſe to make thoſe Reflexions upon it, as the preſent Conjuncture may require. I am, *&c.*

L. Jenkins.

Nimeguen, 28th April, 1679.

My Lord,

HAVING given your Lordſhip an Account in my laſt of the 24*th* Current, of the Meeting of the two Ambaſſadors, and the two Lieutenant Generals of the *French* and *Brandenburgh* Side at *Zanten*; and having ſent your Lordſhip the Articles that were there agreed between them, on the Part of the Moſt Chriſtian King, for the prolonging of the Ceſſation till the 20*th* of *May*, *N. S.* and on the Elector's, for emptying *Weſel* (which is to be done this Day, and *Lipſtadt* too, as ſoon as the *French* can reach thither) of the Elector's Troops, and for putting both thoſe Places into the Hands of the *French*, till the Elector's Peace be made and ratified; I have only ſome few Circumſtances to add, which are ſince come in my Way from the Parties themſelves.

I find M. *Colbert* makes a Difficulty of communicating to M. *Oxenſtiern* any Copy of the Articles agreed at *Zanten*; having given him an Account, by Word of Mouth, of the Subſtance of them; and excuſing himſelf as to giving Copies, till he know the Pleaſure of the King his Maſter upon them; and ſo this Affair ſtood yeſterday Morning.

M. *Oxenſtiern*, on the other Side, refuſes to give an Account in Form to the *Daniſh* Ambaſſador, that the Prolongation agreed between M. *Colbert* and M. *Blaſpiel* at *Zanten*, ſhall extend to ſuſpend Hoſtilities between *Sweden* and *Denmark*, during the 15 Days: This M. *Colbert* com-

complained of to me, ſaying, that ſuch an Act could not poſſibly be of any Prejudice to *Sweden*, in Regard the 15 Days would be expired, before Notice of the Act could poſſibly reach the *Swediſh* Camp; but yet, that it would have been a Piece of Uniformity between them two Allies, very decent at this Time.

For the *French* Ambaſſadors and the *Daniſh* Ambaſſador came to me on *Thurſday* Evening, and deſired me to draw up ſeveral Acts between them; the one, whereby the *French* declared that *Denmark* was comprehended in the Prolongation as well as *Brandenburgh*; the other, whereby the *Dane* declared to conſent to, and accept the Comprehenſion. Theſe Acts were ſigned and exchanged without the leaſt Difficulty, only the *French* deſired they might give in their Act in the Language of the King their Maſter, that is, in *French*, and not in *Latin*, as the *Dane* deſired his: The Acts I take leave to encloſe herewith.

M. *Blaſpiel* lays the over-forwardneſs of this Step, whereby *Weſel* and *Lipſtadt* are given up to the *French* (upon Conditions that give the Elector no Manner of Eaſe) to the Charge of Lieutenant General *Spaen*; for when they two met at *Zanten*, M. *Spaen* could not but confeſs, that there was nothing in his Orders to demand or accept of ſo ſhort a Ceſſation as that of three Weeks; the Elector's View being, to have a Ceſſation as long as his Peace ſhould be a Treating; ſince he could not be imagined to intend to trifle with *France*, or to delay the Concluſion of it, having given ſuch Pawns beforehand of his Reſolution to come to a ſpeedy Iſſue. But M. *Blaſpiel* putting it further to M. *Spaen*, whether he were able to defend thoſe Places till they could have the Elector's Orders upon this Point; his Anſwer was, that he would act the Part of a Soldier, if he were put to it, and thought he might defend *Weſel* for a Fortnight or three Weeks; but that he having no Hopes of Relief, nor Money to give his Soldiers, it was, he ſaid, his Judgment, that it was beſt for the Service of the Prince and the Country, to part with thoſe Places even upon the Terms the *French* offered, rather than to run Extremities; and this Opinion of M. *Spaen* brought M. *Blaſpiel* to conſent to the *French* Terms, which otherwiſe he would never have done.

There is nothing that the Journey to *Zanten* has done towards the Peace. M. *Meinders* is expected here this Week; M. *Colbert* told me, he will go hence to *Paris*; M. *Blaſpiel* ſays, that Journey is not certain, but his coming hither is.

M. *Colbert* was with me on *Saturday*, to deſire me to interpoſe my Offices between him and the *Imperial* Ambaſſadors, for the executing the Treaty made between them, particularly the 27*th* Article, which directs the voiding of ſuch Places as are to be rendred to their firſt Owners; and the withdrawing of the Troops on each Side to their reſpective Territories: But this Morning he tells me, that having been yeſterday with the Biſhop of *Gurck*, he finds the *Imperialiſts* are willing to defer entring into that Buſineſs for two or three Days, in Hopes to ſee clearer, when M. *Meinders* is arrived here, into the likelihood there may be of the ſpeedy concluding of the Peace of *Brandenburgh*; for if that Peace be made here (as M. *Colbert* doubts not but it will) there will be no Difficulty to execute the 27*th* Article of the Peace between the Emperor and the *French*; but till that Peace be certain, it will be a hard Matter to bring either the *Imperialiſts* or the *French* to an effectual Execution of the Treaty, by withdrawing their Troops, and giving up the Places they now poſſeſs of each other.

My Anſwer to M. *Colbert*, as to the Part he deſired me to enter into, or to have in that Buſineſs, was, as near as poſſible, in the Words of his Majeſty's Directions, in your Lordſhip's Letters of the 8*th* of this Month; telling him, that I had not ſeen the *Imperial* Ambaſſadors ſince my Return hither, and that I did not intend to ſee them, nor to be ſeen by them, upon any Matter of Form whatſoever, unleſs I had his Majeſty's expreſs Orders for it: But if he ſhould requeſt me to intervene in the Way of my Function, in ſuch Matters as had Difficulties in them, and related to the well-executing or preſerving of the Peace made by his Majeſty's Mediation, I would not decline doing any Offices. M. *Haren* tells me this Day, that M. *Colbert* told him on *Saturday*, that M. *Spaen* had, in the Propoſition he made to him and the Mareſchal, named *Skinken-Skans*, and that he aſſured them the Elector would render it into the Hands of the *French*, together with *Weſel* or *Lipſtadt*, (any two of the three Places) but that the Moſt Chriſtian King ſaw the Propoſition, and in his Anſwer ordered his Ambaſſadors not to accept of *Skinken-Skans*, becauſe of the Pretenſions the States had upon it, and becauſe the Neighbourhood of the *French* being ſo near, would give great Jealouſies to this State.

This Offer being made by the Elector's Order, the States will not take it well; but the Elector's laſt Letters to them, (which M. *Haren* promiſed me a Copy of) will ſhew he hath a deep Reſentment of their having left him as they have done.

M. *d'Eſtrades* and his Family went hence for *Paris* on *Saturday* laſt: The Report of the Engagement at Sea (whereof I told your Lordſhip in my laſt) begins now to be doubted in this Place.

M. *Haren* does not ſend me the Copy of the Elector's Letter to the States, ſo that I muſt beg your Lordſhip's Pardon till the next; ſo I muſt alſo for that I cannot by this Poſt give any Account of what is poſſible to be done in the Duke of *Modena*'s Buſineſs, whereof I doubt very much. I am, *&c.*

L. Jenkins.

Nimeguen, 1ſt May, 1679.

My Lord,

In my laſt, which was of the 28*th* paſt, I acquainted your Lordſhip, how M. *Colbert* had been with me, about the Commiſſion he hath to adjuſt with the *Imperial* Ambaſſadors, the Time and the Manner of executing the Treaty lately made between the Empire and *France*. He put himſelf to the Trouble yeſterday of coming to me again upon the ſame Buſineſs, but with Inſtances more preſſing, for my Offices towards the *Imperial* Ambaſſadors out of Hand.

He received, he ſaid, great Complaints by way of Memorial, from the *Newburgh*, *Liege*, and *Cologn* Miniſters, of the Oppreſſions that the Countries of thoſe reſpective Princes now lie under from the *French* Troops; that he was ready to enter into Meaſures with the *Imperial* Ambaſſadors, for giving preſent Eaſe to theſe Countries, by the withdrawing of all Troops on each Side within their reſpective Territories, as alſo by the evacuating of all Places that are by the Treaty to be rendred to their firſt Owners; that for the effecting of this Thing, and the removing of Difficulties, he offered either to meet the *Imperialiſts* at my Houſe, or in the Apartment that Sir *W. Temple* and I had in the Stadthouſe, during the late Conferences; or elſe, if the Way of Meetings

ings and Conferences were not liked of, he offered to commit it to my Management; the Propoſitions he was ready to make, touching the Time when, and the Places from whence the Troops of each Side were to move, thoſe of the Emperor towards the Hereditary Countries, thoſe of the King his Maſter's towards the *French* Territories, and to leave it to me to take the Anſwers of the *Imperialiſts* upon his Propoſitions. To bring the *Imperialiſts* and him to an Underſtanding in theſe and many other Points that might ariſe, he had, he ſaid, Recourſe to his Majeſty's Mediation, and did therefore make it his formal Requeſt to me, to go to the *Imperial* Ambaſſadors, and paſs my Offices with them, as ſoon as I could, upon this Overture of his, that it might not be laid at the Door of the King his Maſter, if the Countries be not eaſed, and the Treaty fully executed out of Hand.

I thought this Caſe to be ſuch, that I was not to make any Difficulty in doing my Offices in it, being, as I take it, directly within his Majeſty's Orders and Directions I had the Honour to receive from your Lordſhip of the 8*th* of *April*. I went therefore ſtrait to the *Imperial* Ambaſſadors, and making no Manner of Preface, I told them that M. *Colbert* had been juſt then at my Houſe, and had deſired me to paſs my Offices with them upon the Overtures beforementioned: When I had told them the Buſineſs, I added, that it was of ſuch a Nature, and tending ſo directly to the Execution of that Treaty that had been made by his Majeſty's Mediation, that his Majeſty expreſly directed me to intervene in, if I were thereto requeſted, notwithſtanding he had reſtrained me in ſome other Things, *&c.* After they had deliberated together, the Biſhop of *Gurck* begun with an Acknowledgment of his Majeſty's great Generoſity, firſt in taking the Mediation upon him, then his unwearied Pains in it till he had brought about the Peace of the Empire; that they humbly beſought his Majeſty to continue his Favour and Zeal, till that Peace hath its full Execution, *&c.* by an adjuſting of the Points yet depending between them and the *French* Ambaſſadors. Then ſpeaking to the Buſineſs itſelf, they reſolved no more in this Conference, than to give M. *Colbert* a Meeting at my Room in the Stadthouſe, and ſo to adjourn from Time to Time as Occaſion ſhall require.

I perceive this will be a Buſineſs not eaſily gone through, for the *Imperialiſts* have other Complaints of the Inexecution of their Treaty, which they pretend to be righted in, before they go to the Points of voiding the Places, and withdrawing the Troops of one Side or of the other; of this they gave me a dark Intimation, but reſerved themſelves till they ſhould come to my Houſe to ſpeak with me more fully, and to pray my Offices upon ſeveral Difficulties that did ariſe in the very entering on this Buſineſs.

At 11 M. *Colbert* came to me, to deſire me to diſpoſe the *Imperialiſts* to declare themſelves, that the firſt Thing they will do at the Meeting, will be to agree the voiding of the Places by a certain Day, and for the Troops to begin their March towards the ſeveral Territories; among the Places that he inſiſts to be voided, he named *Strasburgh*, whither the Emperor has ſent a very ſtrong Garriſon; this, he ſays, the King his Maſter muſt look upon as an Infraction of the Peace, unleſs the Emperor draws out his Troops again; yet he allows, that if the City be diſpoſed to augment their Garriſon, or the States of the Empire to reinforce it, it may be done; but the Emperor cannot ſend in his own Troops, and by his own Authority.

In this Converſation he told me, that M. *Oxenſtiern* had ſent him yeſterday a very ſurprizing Meſſage by the *Holſtein* Miniſter; it was to let

let him know, that he had received Letters from the King of *Sweden* his Maſter, importing, that that King having ſome Propoſition ſhewed him by the *French* Ambaſſador M. *Feuquieres*, upon which the Moſt Chriſtian King thought a Peace might be made between the Crowns of *Sweden* and *Denmark*, and the Elector of *Brandenburgh*; that the King of *Sweden* could not accept of ſuch a Propoſition, nor conſent to part with a Foot of Ground that was given him by the Treaties of *Weſtphalia*, but hoped that the moſt Chriſtian King would make good the Terms of the Alliance between them, and ſee *Sweden* entirely reſtored.

To this M. *Colbert*, as he told me, anſwered with ſome Reſentment, ſaying, that the King his Maſter had always been firm and faithful to the utmoſt, to his Ally the King of *Sweden*, and made it the greateſt Part of his Glory to ſtick to him, and ſee him reſtored to what he hath loſt; but when Terms that are reaſonable and honourable are offered to *Sweden*, the Moſt Chriſtian King will not refuſe them, and make his own Peace at leaſtwiſe, with Proſpect that the King of *Sweden* will not refuſe to enter into it when it is made.

This makes me think, that the Treaty between *France* and the Elector of *Brandenburgh*, will be carried, as that of the Biſhop of *Munſter*'s was, the *Swediſh* Ambaſſadors not ſo much concurring in it, but drawn into it *ex poſt facto:* Yet it will be a Queſtion whether they will be drawn in, if *France* undertake that the Elector ſhall retain any thing that is conſiderable; for M. *Colbert* tells me this Day, that the King of *Sweden* hath refuſed to ratifie the Treaty at *Zell*.

M. *Meinders* arrived here yeſterday Morning, but found his Collegue M. *Blaſpeil* gone out of Town as far as *Cleves*, but to return laſt Night.

M. *Colbert* tells me, he was yeſterday Evening at his Houſe, but with other Company, ſo that they ſpoke of no Buſineſs at all. He ſaid, 'tis believed in the Town, that M. *Meinders* doth not go hence to *Paris*; however, that he may, if he pleaſe, M. *Colbert* ſome Days ago having put into M. *Blaſpiel*'s Hands a Paſſport in Blank to that End; but it is probable, that M. *Colbert* having a Commiſſion to himſelf ſingly, to Treat with the Elector's Miniſters here, will have the laſt Word of his King, and the utmoſt he will do; ſo that M. *Meinders* Journey (if he makes it) will be to no great Advantage, beyond what will be offered to him here; which will be, as far as I can gueſs, a Sum of Money from *France*, and the further *Pomerania* entire, as it lies on the other Side of the *Oder*.

As to the Duke of *Modena*'s Buſineſs, of his being compromiſed in the Treaty between *France* and *Spain*, he hath a Month's Time yet to be taken in; for thus it is ſaid in the 29 Article, — *En cet paix ſeront compris ceux qui n'eſtant pas voulu engager, ou declarer dans la preſente guerre, ſeront nommez dans ſix mois apres l'Echange des Ratifications*; thus both Kings have obliged themſelves to do; but on the King of *Spain*'s Behalf, there are theſe Words added, — *& tous autres qui apres la fin de la dite guerre ſeront auſſi nommez par ſa Majeſté Catholique.* — The 6 Months will be out on the 15*th* of *June*, *N. S.* Before I paſs any Office, I moſt humbly beg your Lordſhip's Directions in two Difficulties; the one is, that neither my Collegues nor myſelf had any Part in Mediating this Treaty, it being carried on by the intervention of the *Dutch* Ambaſſadors. The other, that there is but one *Spaniſh* Ambaſſador (M. *de la Fuente*) upon the Place, and him I have always excuſed myſelf from ſeeing, upon his not giving the ſame Satisfaction as his Collegues had done, when he made his firſt Viſits to the *Imperialiſts*, before he made it to me, and the reſt of the Ambaſſadors. I cannot think it fit for me to enter upon the doing of any Office for the Duke of *Modena*, unleſs I have his Majeſty's Orders firſt to med-

dle in this Treaty, then to ſee M. *de la Fuente*; or elſe that his Majeſty ſhould think fit that the *Dutch* Ambaſſadors be ſpoke to, to paſs this Office for the Duke of *Modena*, as I am ſure they have done for others in the ſame kind.

M. *Colbert* complained to me, that M. *Spaen* has not dealt fairly with them in his emptying of *Weſel*, for he took with him ſixty Pieces of Cannon, where he had pretended to take but twenty; as alſo all Ammunition, Proviſion, and Furniture, even to the Locks from off the Doors. I am, *&c.*

L. Jenkins.

Nimeguen, 5th May, 1679.

My Lord,

In my laſt that I troubled your Lordſhip with (of *May* Day) I gave you an Account of a Negotiation, that was going to be ſet on Foot between the *Imperial* and *French* Ambaſſadors, for the executing of the Treaty lately made between them. The *Imperialiſts* were on *May* Day in the Evening at my Houſe, to repreſent the Difficulties that the *French* had made, and to deſire my Offices in removing them, before the Evacuation of the Places, and the retreating of the *Imperial* Troops, pretended by M. *Colbert*, ſhould be entered upon by way of Debate.

The Difficulties, or rather Grievances, that the *Imperialiſts* deſired to be redreſſed in, were three: 1. The Hoſtilities acted upon thoſe that had entered into the Peace, after the Time that all Hoſtilities were by the Treaty to ceaſe, as the ſeizing of the Duke of *Newburgh*'s Caſtle of *Angeroort* in *Bergueland*, and the poſſeſſing of it by M. *Calvo*, when about a Fortnight ago he paſſed the *Rhine*; and that there was a new High-way by Force cut out between *Briſack* and *Friburgh*, to the deſtroying of the Property of ſeveral Men; whereas the Treaty does expreſly provide, that the Paſſage of the *French* between thoſe Places is to be by the ordinary common High-way.

2. That whereas Contributions were to ceaſe, immediately after the Exchange of the Ratifications, the *French* continued them every where as heavy as before, under the Name of Subſiſtance for their Troops.

3. That by that Treaty, the Garriſons and Troops that the *French* have, in and about thoſe 8 Places and Poſts in *Liege*, *Juliers*, and *Cologn*, (which they are to hold till the Peace of the *North* be made) were to be no longer ſubſiſted at the Charge of the Country than till the Ratifications were exchanged, and that thenceforward all Exactions whatſoever ſhould ceaſe; yet the Exchange being made, thoſe Places, and the Country round about, are not eaſed in the leaſt, nor any Part of the Burthen taken upon *France*, as the Treaty provides.

These being the Points that were to be executed as ſoon as the Ratifications were exchanged, and the voiding of the Places that are to be reſtored, as alſo the marching of the Troops out of the Empire, (if any ſuch Obligation there be ſtipulated, which the *Imperialiſts* do ſtiffly deny as to their Part) being Things, for the doing of which the Treaty itſelf allows a Month's Time to finiſh them in, after the Exchange of the Ratifications; the *Imperialiſts* pretend to have Right done to the Parties intereſted, and Eaſe given to the Empire in the three Points abovementioned, before they do mention any other Matter whatſoever.

To this M. *Colbert* anſwers, that the ſeizing of *Angeroort* was no Hoſtility, M. *Calvo* uſing it only for the ſecuring of his Paſſage, and having ſince

ſince left it; that he knows nothing of the cutting of a new Way between *Briſack* and *Friburgh*; that the *French* Troops muſt have their Subſiſtance, and their Garriſons have their Maintenance from the Empire, as long as the Treaty lies unexecuted; that is, as long as the Places are not voided, and the *Imperial* Troops do lie in the Empire; that the only Way to rid the Empire of theſe Burthens, is to execute the Treaty; and that the Treaty cannot be otherwiſe put in Execution, but by the withdrawing of the *Imperial* Troops out of the Empire, by a Day to be ſet, as well for them, as for the *French*, (thoſe in the 8 Poſts abovementioned always excepted) that this being put in a Way to be executed fairly, one Thing after another, the Subſiſtance of the Troops, and the maintaining of the Garriſons, would ceaſe by the ſame Degrees that the *Imperial* Troops ſhould draw towards the Hereditary Countries.

Both Parties are thus difficult, and thus irreconcileable, as to the Points that they are to begin withal; becauſe they would, before they make any Step, ſee what becomes of the *Brandenburgh* Negotiation. If the *Imperialiſts* do ſee that the Peace is certain, they will not (if I underſtand them rightly) longer inſiſt upon the Point of Honour, but call off their Troops for the Service of *Hungary*, or ſome other Occaſion: But if there ſhould be Rubs in that Peace, (as they ſeem to think there may yet be) they will not endure to ſee themſelves march out of the Empire, at the ſame Time that they ſee the Heart of it over-run with Strangers.

As to the *Brandenburgh* Peace, M. *Meinders* hath no Inſtructions (as he hath told me) that can bring Things to a cloſe, therefore he is reſolved to make another Journey to *Paris*, tho' the Elector his Maſter will never, as he ſays, make a Peace upon thoſe Terms that the *French* offer, he will rather ſuffer Things to come to the utmoſt Extremities; yet he does not ſay, that I can learn, to any, what his Maſter muſt have, whether he muſt have *Stetin*, or whether he can be content to let go *Stetin*, and to have all on the further Side of the *Oder*.

On the other Side, M. *Colbert* ſays plainly, that there are no Hopes of a further Prolongation of the Ceſſation when this is out, which will be on *Friday* next: M. *de Louvoy* having by Expreſs on *Friday*, caution'd him not to engage in any longer Ceſſation; and M. *Calvo* has his Orders to act as ſoon as this is expired. And as to the *quelque petite conſolation*, ſo M. *Colbert* phraſes it, that the Moſt Chriſtian King will interpoſe that the Elector may have from *Sweden*, it will not be that which even M. *Colbert* himſelf adventured to propoſe, I mean, two or three little *Swediſh* Places, together with all entire on the further Side of the *Oder*; M. *Pompone* adviſing him by yeſterday's Letters, that the King his Maſter cannot apply to *Sweden* to part with the leaſt Thing that is by Name yielded to it by the Treaties of *Weſtphalia*; only what *Sweden* hath ſince thoſe Treaties extorted, under the Notion of Limits, from the Elector, he ſhall have again, and a Sum of Money from *France*, as they can agree.

So that the Elector's Ambaſſador, and M. *Meinders*, (who hath no Character here) do complain, and every body does wonder, that the Recompence made the Elector, for the great Confidence he hath ſhewn in giving up *Weſel* and *Lipſtadt*, is ſo meagre, that he hath but the ſame Terms offered him, that had been offered before; and but 15 Days Time to accept or refuſe them, which yet were half run out before he could have Notice of it, and muſt be quite run out before M. *Meinders* can poſſibly reach *Paris*; 'tis true, M. *Colbert* writ on *Friday* by an Expreſs for a longer Prolongation, in Regard M. *Meinders* was thus far in

the Way for *France*; but declared he had not the leaſt Hopes to obtain any Thing of that Kind.

THE Mareſchal *de Crequi*, M. *les Comtes de Roy, de Joyenſe*, and *de Villeroy*, are now at *Dinant*, where the Mareſchal hath appointed the Rendezvous: They will be on *Thurſday* at *Weſel*, and will march with 25000 Men towards the *Weſer*, leaving 20000 here to guard the *Rhine* Side. I muſt confeſs, I cannot but be in great Pain, ſince the drawing down this Way of ſuch vaſt Troops, at a Time when the Moſt Chriſtian King is moſt certain of a Peace, and as he ſhall pleaſe to preſcribe it, without ſtriking one Stroke; and yet he preſſes on the Peace with that Earneſtneſs, as if he had it in View to cloſe it out of Hand, and to employ his Forces this Summer ſome otherwhere: I do not ſee, that the Neceſſity of his Troops do preſs him to ſo ſudden a Cloſe; for 'tis taken for granted, they are to lie all (as they now do) upon the Empire, till the Peace of *Brandenburgh* be made and ratified; ſo that they might make Account to lie at their Eaſe the greateſt Part of this Summer, if they be not employed another Way, which I beſeech GOD may not be to do *England* a Miſchief in ſome of its Skirts.

SINCE the Writing of this, M. *Blaſpiel* comes to me, in the Name of M. *Meinders* and his own, to deſire that I would humbly repreſent to his Majeſty, that it would be the greateſt Favour that could be in the World to the Elector, 1*ſt*, To procure for him a Prolongation of the Ceſſation now expiring, and that M. *Savile* may be writ to, to that Effect. 2. That his Majeſty would be pleaſed to propoſe a Plan; theſe Miniſters being well aſſured, the Elector would acquieſce in that which his Majeſty ſhould think equitable. 3. That his Majeſty would pleaſe to uſe his Authority with *Sweden*, to diſpoſe it to accept of reaſonable Terms.

I have been much conjured, by M. *Meinders* eſpecially, to lay theſe Points, in all Humility, before his Majeſty, as the Senſe and Deſire of the Elector. If his Majeſty do pleaſe to vouchſafe any Anſwer, I will hope to receive it from your Lordſhip with the ſooneſt. I am, *&c.*

L. Jenkins.

Nimeguen, 8th May, 1679.

MY LORD,

HAVING underſtood that his Highneſs the Prince of *Orange* was to be laſt Night at *Grave*, which is but three Hours off of this Place, I waited on him, and found his Highneſs viewing the Fortifications, as he does all the Frontier Places of this State. He has been already at *Breda* and *Maeſtricht*, whence he came yeſterday: He dines at *Boldue* this Day, and lies at *Huſden* this Night, in his Return to the *Hague*; and this Tour being of his own Motion and Care (as M. *Beverning* told me laſt Night) is very ſeaſonable, the *French* being now upon the Wing, and gives a general Satisfaction to the People of this Country.

IT is eaſy to perceive this State in general, and his Highneſs in particular, are ſollicitous upon this drawing together of the *French* in ſo great Body, 46000 effective Men being a Proportion that none can think needful to over-run the Countries of the Elector of *Brandenburgh*, or to go and find him out in his other Countries; in the mean Time, this State finds itſelf in a Manner ſurrounded with the Forces of *France*.

HIS

His Highneſs was inquiſitive, how the Elector's Treaty went on at *Nimeguen*. I could tell him no more, than that M. *Meinders* had ſet out laſt Night on another Journey for *France*, having not been able to obtain the leaſt Thing from M. *Colbert*, as to the bettering of the Conditions of his Peace, or the prolonging of the Ceſſation. This was confirmed to him immediately after by M. *Blaſpiel* himſelf, who came likewiſe to wait on his Highneſs; the Prince doing me the Honour to tell me afterwards, that he could not find by M. *Blaſpiel*, that M. *Meinders* went upon any Grounds of Hopes into *France*, but meerly to comply with the Elector's Orders; nor that the Elector is yet come to any Reſolution what to do.

Having paid my Reſpect to his Highneſs, I returned ſtraight, and had M. *Blaſpiel's* Company in my Return; he told me, M. *Colbert* had been lately with M. *Oxenſtiern*, to tell him, that he, the *Swediſh* Ambaſſador, had no more to do, but to hold firm; that the Moſt Chriſtian King was reſolved to ſee *Sweden* entirely reſtored to every Thing that the Elector had got from it in this War: This adds to the Fears M. *Blaſpiel* hath, that no Favour is to be expected from *France*.

The Diſpute between the *Imperialiſts* and the *French*, upon the Point where they ſhould begin to execute the Treaty made between them, is juſt as it was in my laſt; only the *Imperialiſts* having ſet Prince *William* of *Furſtemburgh* at Liberty, have whereon to value themſelves for having made one Step at leaſt before the *French* had made any. M. *Colbert* had already entered his Complaints with me, upon Notice that the Prince had not been ſet at Liberty in ſome Days after the Ratifications were exchanged; but now he will be ſatisfied, for Mr. *Skelton* writes me Word, that the Prince is at full Liberty.

I muſt not forget to acquaint your Lordſhip, that M. *Blaſpiel*, as we came Home together, told me, that the Moſt Chriſtian King was adviſed, that two Privateers, with Commiſſions from the Elector of *Brandenburgh*, were gone towards the *American* Iſlands; that M. *d'Eſtree*, who was to go ſuddenly with 14 Men of War that Way, had Orders to ſink and deſtroy thoſe Privateers, if he ſhould meet with them; but that M. *Colbert* had offered, that if the Elector would conſent that thoſe Privateers ſhould do no Damage to the Subjects of *France*, as long as this War laſted, M. *d'Eſtree* ſhould not meddle with them: This M. *Blaſpiel* hath conſented to, he ſays, and hopes the Elector will not diſavow him.

I have juſt now, as I am cloſing, the Honour of a Letter from your Lordſhip of the 2*d*, and therein his Majeſty's Pleaſure about the Pretenſions of the Dukes of *Mecklemburgh*; I have, in Obedience to former Orders, done all in my Power for thoſe Dukes; 'tis true, the Dukes have had ſeveral Judgments given for them in the Empire; but the *Swedes* do alledge, all was *coram non judice*; ſince none but thoſe that were Parties to the Treaty of *Weſtphalia* have Right to interpret them, when the meaning of them is controverted. I am, *&c.*

L. Jenkins.

Nimeguen, 12th May, 1679.

My Lord,

THE laſt that I troubled your Lordſhip withal, was of the 8*th*; ſince which, M. *Colbert* deſired my Offices towards the *Imperial* Ambaſſadors, in declaring to them, that the Miniſter of *Zell* having deſired

ſired his Concurrence to the incorporating of the Treaty made lately at *Zell* into the Treaty of the Empire, by a ſeparate Act to paſs between him and the *Imperialiſts* to that Effect, he was ready to do his Part on the King his Maſter's Behalf: To this the *Imperialiſts* made no other Anſwer, but that they being not able to paſs ſuch an Act without expreſs Orders from the Emperor, and his *Imperial* Majeſty being not like to give any ſuch Orders till he knew the Mind of the Dyet at *Ratisbone* upon the Point, all they could do was, to write, and to wait the Emperor's Pleaſure. This Anſwer M. *Colbert* looking upon as dilatory, ſaid, he had no more to do, but to give an Account of it to the King his Maſter.

THE *Imperialiſts* were with me on *Friday*, to deſire my Offices towards M. *Colbert*, in repreſenting to him a direct Infraction of the new Treaty, in a Caſe of his Electoral Highneſs *Palatine*. For his Electoral Highneſs having had the Contribution of the *Païs Meſſin deça la Moſelle* aſſigned to him by the Emperor to the City of *Metz*, and the Inhabitants of the adjacent Country had made an Agreement with the Elector to pay him quarterly the Sum of 4050 *German* Florins, as long as the War ſhould laſt, and this Accord was ratified in *September* 1676, by the Magiſtrates of *Metz*. By the new Treaty, the Contributions on each Side are made payable till the Ratifications ſhould be exchanged; but his Electoral Highneſs demanding what was due by the Accord, to the Time of the Exchange; the *French* Intendant of *Metz* forbids the People of the *Païs Meſſin*, to pay any more Contribution, under ſevere Penalties.

HERE Payment is refuſed where 'tis due by the *French*; but this is not all, for the *French* in *Alſatia* do now (at this Time, that all Contributions ought by the Treaty to ceaſe) demand Contributions of the Elector's *Baylifwyk* of *Germerſheim*, where his Subjects never paid any before; I preſs'd theſe Points as Home as I could to M. *Colbert*, from the Singularity, as well as the Unreaſonableneſs, of the Inſtance; but all I obtained was, that he would write to Court, being not impowered, he ſaid, to meddle in the leaſt with Matters of Contribution, which is ſolely committed to M. *de Louvois*.

WHEN the *Imperialiſts* had done with this Requeſt to me, about the Prince Elector *Palatine*, they deſired me to inſinuate to M. *Colbert*, that the Duke of *Lorain* had now put off thoſe Troops that were under his Name, and that they were actually in the Emperor's Service; the Duke having done ſo, to take off all Umbrage from the *French*, by reaſon of his having any Troops at this Time under his Command; his Reſolution being not to continue in any Hoſtilities againſt the Moſt Chriſtian King, but to wait the Time to be reſtored to his Eſtates, not by his own Arms, but by the Juſtice and Generoſity of that King.

M. *Colbert* was very far from being ſatisfied with this; he ſaid, it was a direct Infraction of the Treaty on the Emperor's Part; he ought not to take into his Service the Troops of a Prince that ſtood out as an Enemy to *France*; that the King his Maſter's Troops will be ſure to charge thoſe Troops, wherever they meet them; and that it is high Time for the Moſt Chriſtian King to look about him; and ſince the Emperor takes in his Enemies, he may juſtly give him a Diverſion in *Hungary*.

M. *Colbert* had been told (it ſeems) that thoſe Troops were already marched into *Hungary*; but I being not inſtructed to aſſure him any ſuch Thing, he concluded they are ſtill in the Empire; and that by thoſe and other Means, the Elector of *Brandenburgh* was born up in Hopes, that the Emperor intended not to obſerve his Peace long, which was the Cauſe

Cauſe that the Elector deferr'd to conclude his; however, he would acquaint the King his Maſter with this Inſinuation as it was, and ſubmit it to him.

YESTERDAY M. *Colbert* was with me, to deſire my Offices afreſh, by inviting the *Imperialiſts* once more, to give him a Meeting this Day at the Stadthouſe, to enter upon their Commiſſions, for executing the Treaty made between them. This the *Imperialiſts* accepted of, and both Parties deſired me they might meet in our Apartment at the Stadthouſe, and where the Conferences were held when the Treaties of the Empire were made. We meet at 10, and if any Thing be agreed before the Poſt goes, I ſhall take Leave to trouble your Lordſhip with it.

M. *Colbert* told M. *Beverning* laſt Night, that there were four *Deputez*, two from the Houſe of Lords, and two from the Houſe of Commons, lately come over to this Country; that they had been at the *Hague*, and had taken a Turn to *Amſterdam*, and were now gone back in the ſame Yachts that brought them over; that their Buſineſs was, to deſire his Highneſs the Prince of *Orange*, or the States, to interpoſe and mediate a good Underſtanding between the King and his Parliament. He ask'd me what I knew and thought of it; I told him I had no Manner of Notice of it, either out of *England*, *Amſterdam*, or the *Hague*; that I believed the Thing to be a meer malicious Fiction; that there was, bleſſed be GOD, a good Underſtanding between his Majeſty and his Parliament; and that there were daily thoſe clear Evidences given of it, that I could not imagine it ever entered into the Thoughts of any in either Houſe of Parliament, to ſend any ſuch Deputation to a Foreign State; nor that any Members of either Houſe of Parliament ſhould aſſume ſuch a Commiſſion to themſelves; our Laws reſtraining moſt Sorts of Perſons, even from paſſing beyond Sea, without Leave had from his Majeſty or his Council; and when a Parliament is ſitting, the Members muſt have Leave of the reſpective Houſes, tho' it be but to go to their own Homes, and that for a few Days only, even in Caſes of ill Health, or of other neceſſary Occaſions. With this M. *Beverning* ſeemed to be ſatisfied; but this Report hath been theſe two or three Days, I know not how, ſpread all the Town over.

ALL that I can tell your Lordſhip of this firſt Conference is, that after ſome Hours Debate, the Ambaſſadors parted without agreeing one Tittle; the *Imperialiſts* preſs'd, that what was levied by way of Subſiſtance for the Soldiers ſhould ceaſe; and the *French* Ambaſſador, that the *Imperial* Troops ſhould be drawn out of *Bonn*, *Strasburgh*, and other Places; and that at the ſame Time the *French* ſhould march out of *Liege* and *Juliers*. The firſt Point was refuſed, becauſe this laſt was not executed; and this laſt is not like to be executed, that I can ſee, till the Peace of the Elector of *Brandenburgh* be made.

M. *Colbert* did often repeat in this Conference, that he verily believed the Peace of the Elector was already made, or would be made as ſoon as M. *Meinders* could reach *Paris*; but that the Elector muſt be content with the Conditions that he, M. *Colbert*, had offered his Miniſters here (the King his Maſter having writ that he would conſent to none other); only he may have added to the Sum of Money that *France* intended him, by way of Recompence for his Confidence in putting two of his ſtrong Places into the Hands of the *French*. He added, that the Elector will be a Gainer in making the Peace upon thoſe Terms; for that the *French* will have more to reſtore him (he meant of his own) when they are Maſters of *Cleves* and *Marke*, and of all as far as *Minden*, than he is now poſſeſſed of, and would detain from the Crown of *Sweden*.

THE

THE Ambaſſadors did not deſire to have a Time appointed to meet again; but when that Elector's Peace is made, the Emperor will draw his Forces out of the Empire, as his Ambaſſadors told me; but will not do it at the Inſtance of the *French*, much leſs will he do it now, becauſe it would be very unſuitable to the Emperor's Dignity, and his Truſt, to march his Troops out of the Empire, and leave it to the Mercy of an Army of 40 or 50,000 *French*, that are now marching into the middle of it. I am, *&c.*

L. Jenkins.

Nimeguen, 15*th May*, 1679.

MY LORD,

SINCE my laſt, which was of the 12*th* Current, here hath been nothing further done between the *Imperial* Ambaſſadors and M. *Colbert*, towards the executing of the Peace of the Empire; only the Ordinary of this Morning brings the Certainty that the Peace hath been proclaimed at *Vienna*, which was delayed very much, to every one's Wonder here.

I take Leave to incloſe here the Copy of a Letter that the Elector of *Saxony* writ to the Moſt Chriſtian King, wherein that Elector (having, as he ſays, taken his Meaſures with the Elector of *Bavaria*) deſires, that the Ceſſation of Arms between the Parties now in War might be further prolonged, ſince the Term that is agreed to, is too ſhort to make up the Peace of the *North*, which theſe two Electors have taken upon them to labour in, *&c.*

THIS Letter was communicated to me yeſterday by M. *Blaſpiel*, with this further Account, that the Elector of *Saxony* having underſtood from his Miniſter that he hath now at *Berlin*, the State of Affairs in that Court, had thought fit to write this Letter, and to ſend it to the Elector of *Brandenburgh*, to forward it towards the Moſt Chriſtian King, by ſuch Conveyance as he ſhould think proper; the Elector's Council reſolved to ſend it hither to M. *Blaſpiel*, with Directions to deſire M. *Colbert* to charge himſelf with the Conveyance of it, or elſe to ſend it ſtrait after M. *Meinders*: M. *Colbert* having the Letter offered, and the Copy ſhewed him, excuſed himſelf, ſaying, he was expreſly forbidden to receive any Propoſition at all for prolonging the Ceſſation, and was forbid likewiſe to hearken to any Terms or Conditions relating to the Peace itſelf, but thoſe preciſe ones that he hath already offered to the *Brandenburgh* Miniſters here; ſo the Letter is ſent after M. *Meinders*.

THIS about the Elector of *Saxony*'s Letter, he, M. *Blaſpiel*, did, as he ſaid, communicate to me, that nothing which others do, by way of thruſting themſelves into the Mediation, might be concealed from his Majeſty; the Elector his Maſter deſiring, for his Part, no other Offices than thoſe of his Majeſty, for the making of his Peace.

UPON this Occaſion, he enlarged very much upon the Hopes he and all Men had out of *England*; that Things being there once ſettled, the reſt of the World would not be ſo inſulted, as 'tis otherwiſe like to be; this brought him to ſpeak of, and communicate to me, the Inſcription that goes incloſed, intended, it ſeems, for a Triumphal Arch at *Paris*.

FROM this Subject, he paſs'd to that of the King of *Spain*'s Marriage, and the alienating of the *Spaniſh Netherlands* from that Crown, which I find both by him and by the *Zell* Miniſter, is now thought to be negotiated by M. *Balbaſes*, both of them concluding, that as ſoon as the whole

whole *Netherlands* are become *French*, the Commerce and Liberty of this Country will be abſolutely at the Mercy of *France*. Another Thing that he ſpoke of was, M. *Calvo*'s March into the Elector's *Païs de Marck*, that he could not do it without Magazines and Artillery, more than he hath provided, but that the Houſe of *Lunenburgh* is to ſupply him; that thoſe Countries he goes into cannot do it; whence he infers, that that Houſe is to do all that *France* will have it do againſt the Elector.

I do not find by M. *Blaſpiel*, that there will be any Reſiſtance made at *Minden*, or on the *Weſer* Side, tho' M. *de Spaen* be march'd that Way, and hath with him 10,000 Men. Here incloſed go the Copies of the *Imperial* and *French* Commiſſions, for executing the Treaty of the Empire: M. *Colbert* tells me juſt now, he is ſtill where he was, as to the Execution of that Treaty, and that 'tis to no Purpoſe to have any more Meetings with the *Imperialiſts* about it; only that the *French*, on their Parts, do already, without Stipulation, begin to execute the Treaty, for they are moſt of them marched out of the Countries of *Juliers* and *Cologn*. I am, *&c.*

L. Jenkins.

Nimeguen, 19th May, 1679.

My Lord,

SINCE my laſt, which was of the 15*th* Current, I have the Honour of one from your Lordſhip of the 13*th* to acknowledge, which I do with my moſt humble Thanks; immediately upon the Receipt of it, I acquainted M. *Blaſpiel*, in the beſt Manner I could, with ſo much of the Contents of it. as might be a Satisfaction to the Elector his Maſter.

We have nothing more than I had in my laſt touching the Peace of the *North*, unleſs it be what M. *Heugh* told me on *Friday* laſt; that the *French* Ambaſſador *Feuquieres* had writ lately a Letter to the Chancellor of *Denmark*, inviting him to diſpoſe the King his Maſter to ſend ſome Perſon qualified into *Schoonen*, to meet another on the Part of *Sweden*, there to Treat of a Peace; that the King of *Denmark* had thought it neceſſary to accept of the Propoſition, that it might not be given out, that he is averſe to the Peace, but that he has no Hopes of any good Iſſue, no more than of M. *Meyercroon*'s Negotiation in *France*.

M. *Heugh* did upon this Occaſion let himſelf into thoſe deep Aſſeverations that I have heard him uſe very often, that the King his Maſter will rather run all the Riſque and Extremities, than ſubmit to what the *French* would preſcribe, which is entire Reſtitution to the *Swede*, according to the Treaties of *Weſtphalia* and *Copenhaguen*. But he acquainted me, he ſaid, with this Incident of M. *de Feuquieres*, to the End his Majeſty might be pleaſed to be informed, that the King of *Denmark* would never make (with his good Will) any Step whereby he might be thought to depart from his Majeſty's Mediation; but in this he is forced, for his own Defence, to follow his adverſe Party in the Way that he leads him.

Your Lordſhip will have received, I doubt not, from Mr. *Meredith*, that *Don Emanuel de Lyra* hath given in a Memorial to the States General, in order to have M. *Van Lewen* inſtructed to labour, when he comes Ambaſſador into *England*, in Concert with the *Spaniſh* Miniſters there, that his Majeſty may pleaſe to give his Guaranty of the *Spaniſh Netherlands*. M. *Beverning* told me laſt Night, that this Motion is at this Time out of Seaſon, for that there being already a defenſive League

between his Majeſty and the States General, they cannot in Reaſon deſire more, for that it is already more than any Guaranty can be from his Majeſty. On the other Side, the *Spaniards* cannot deſire from the States General, that they ſhould enter into a ſtricter Obligation, than that they are already under to them; and ſo 'tis between *Spain* and the Emperor, and the reſt of the late Confederates ſo called; for notwithſtanding that each of them hath made his Peace ſeparately, yet the reſpective Treaties do ſtill ſubſiſt in the Points of mutual Defence, if any of the Parties ſhould be attacked, after that this preſent War is ceaſed; his main Reaſon for this Aſſertion is, that theſe Treaties are for a Term of Years not yet expired; and as long as the Term laſts, he ſuppoſes the Obligation to be binding in all thoſe Points that are yet capable of being reciprocally obſerved, notwithſtanding the Failings on all Sides in the ſeparate Peace. But the Reaſon he alledged, and that ſeemed moſt to weigh with him was, the Condition of Affairs in *England* at this Time; he thought this Buſineſs of a Guaranty could not be mentioned in the leaſt to his Majeſty, but it would give a very great Offence to *France*; and yet tho' his Majeſty's Guaranty were had in the beſt Form, there could be no Fruit of it, till it pleaſe God to reſtore Things to their former Quiet in *England*, ſo much as to be hoped after. Theſe were M. *Beverning*'s Reaſons againſt M. *de Lyra*'s Memorial.

One Captain *Knight*, a Gentleman belonging to Sir *W. Temple*, coming hither from *Amſterdam* yeſterday, tells me, he is in Purſuit of a Diſcovery of Arms bought and ſent into *Ireland*, to the Value of 20,000 Pounds Sterling; he could tell me no more Particulars, but that one *la Fevre* is the Seller; that there was one Ship laden with Arms gone out of that Port on *Thurſday* was ſevennight, (the Maſter's Name *Turleton*) bound for *Dublin*; and that the Merchant's Name that loaded them is *Dorville*. This is all he hath yet learnt; he goes back for *Amſterdam* this Morning, and will, I doubt not, give an Account to Sir *W. Temple* of what he ſhall diſcover.

I take Leave to cloſe this Diſpatch earlier than ordinary, deſigning to wait on their Highneſſes the Prince and Princeſs at *Deeren*, 6 Hours off. I am, *&c.*

L. Jenkins.

Nimeguen, 22 *d May*, 1679.

My Lord,

In my laſt, which was of the 19*th*, I took Leave to tell your Lordſhip, that I was then going to *Deeren*, to wait on their Highneſſes. The Prince was Abroad all Day, ſo that I had not the Honour to ſee him; the Princeſs had taken a Vomit that Day, which made her very ſick for the Time; when the working was over, ſhe had a good Sleep between 3 or 4 Hours, and awaked out of it not only well but cheerful, and ſo continued the reſt of the Evening; next Day, which was *Tueſday*, I ſent to ſee how her Highneſs did, and had Word ſent me, ſhe had had a very good Day of it; yeſterday I ſent again, but my Meſſenger, I know not by what Accident, is not yet come Home; but I doubt not but that the Princeſs is very well, the Advance of the Seaſon, the Change of Air, and this Medicine concurring, I hope ſhe will have no more of her Ague. I am going to wait on her Highneſs this Morning, therefore take Leave to deſign this for the Poſt when the Hour comes, ſince I cannot be back ſo ſoon.

We

We have but two Things depending in this Place, but there is nothing done in either; we have had no Meeting ſince the firſt, in order to the executing of the Peace, and 'tis not like we ſhall have any (for the Places will be evacuated, and the Troops retreated, without any expreſs Stipulation): M. *Colbert* did yeſterday very much value the Moderation of the *French*, in that they have already emptied ſeveral Places, as *Aix la Chapelle* and *Nuitz*, leaving only 400 *Switzers* in the firſt, and 100 in the other, who live upon themſelves, and are no Charge to the Inhabitants; for the withdrawing of the Troops, that he ſays is done in *Alſatia*, on the *French* Part, but it is certain the Emperor does it on his, tho' it is ſomewhat againſt his Will; the Clamours of the Circles of *Swabe* and *Franconia* forcing him to withdraw his Troops, and ſo out of *Strasburgh*, the *Imperial* Garriſon being to march out, (which I ſuppoſe is done already) and the Burghers charging themſelves to keep in Garriſon there 4000 of their own Men.

The Peace of the Elector of *Brandenburgh* (which is the other Thing depending here) is ſtill where it was; only M. *Blaſpiel* deſired me on *Tueſday*, to let M. *Colbert* know, that the Elector had, by freſh Orders come to Hand the Day before, directed him (and ſo M. *Meinders* too) not to inſiſt any longer upon having all *Pomerania*, but to offer himſelf to enter into Treaty upon thoſe Propoſitions that M. *Colbert* himſelf had advanced. This, M. *Colbert* ſaid, he could not accept of, nor enter into any Debate upon the Propoſitions he had made; they muſt be accepted entirely, or elſe rejected: Upon this Occaſion M. *Colbert* told me, that the King his Maſter had ordered 37 Squadrons of Horſe, and 4 Regiments of Foot, and 20 Pieces of Cannon, to be in a Readineſs to march up and join M. *Calvo*, in Caſe M. *Meinders* does not acquieſce, when he comes to the Court of *France*, in what hath been offered him here; and in the mean while M. *de Louvoy* hath directed, that the Contributions be raiſed to the higheſt Pitch poſſible all over the Elector's Countries. 'Tis a Wonder to me what the Elector ſhould mean, he profeſſes, they ſay, to make no Oppoſition, and owns that he hath no Reſource left, but that he muſt do all that *France* will have him do; yet ſuffers the Peace that he muſt come to at laſt, to grow infinitely worſe to him under his Hands, by delaying as he does to conclude it.

He hath lately given Orders to M. *Blaſpiel* (as himſelf told me) and M. *Spaen*, that they ſhould deliver up *Skinken-Skans* to the States; M. *Colbert* tells me upon all Occaſions, and repeated it to me yeſterday, that we ſhall ſee the General Peace very ſuddenly made up: One Argument he uſed was, that the Kings of *Denmark* and *Sweden* are going to Treat in *Schoonen*, where there is a Poſſibility of Diſpatch; whereas none could have been hoped for in this Place, ſo diſtant are the Humours of their reſpective Miniſters. I am, *&c.*

L. Jenkins.

Nimeguen, 26th May, 1679.

My Lord,

In my laſt, which was of the 22 *d*, I was not able to tell your Lordſhip, whether the Princeſs had eſcaped her Fit the Day before or not; I found, when I came to *Deeren*, ſhe had not; and that the Fit had been a very ſevere one, notwithſtanding the Vomit ſhe had taken this Day ſevennight; but the Fit ſhe had on *Friday* was much more tolerable, and without any cold Fit at all; ſhe had a Touch of one yeſterday, but not

not ſo long nor ſo troubleſome as that of *Friday*; ſo that I hope this Ague is now leaving of her, and that I ſhall be able by the next to tell your Lordſhip, that her Highneſs has quite loſt it.

I ſhould have waited on her Highneſs this Day, but that M. *Colbert* preſſes the *Imperial* Ambaſſadors to renew the Conferences, about the Execution of the Peace of the Empire: He was with me on *Friday*, *Saturday*, and yeſterday too, to deſire my Offices towards them; and I was with them ſeveral Times, but have not yet their poſitive Anſwer.

The *Newburgh* and *Liege* Miniſters do deſire likewiſe, with all Earneſtneſs, that theſe Conferences may be renewed, and that they may be preſent at them; M. *Colbert*, on his Part, invites them to it, ſuppoſing he will be able to make it out, that he hath the better of the Argument; but the *Imperialiſts* look upon this as a Step that thoſe Miniſters ought not to make, nor to meddle in the Execution of the *Imperial* Commiſſion, but leave the Diſpoſal of the Points in Queſtion to the Emperor, and the Dyet of the Empire; and the pretending of theſe Miniſters thus to intervene, is the Cauſe that the *Imperialiſts* have not yet declared, whether they will accept the Conferences, and ſuffer them to be preſent or not; but I hear they will come and tell me by and by, that they will accept the Conferences.

The Moſt Chriſtian King being reſolved, in caſe the *Imperial* Troops do not withdraw, and that the Places where the Emperor hath Garriſons, be not evacuated, to order M. *Calvo* to ſend back Part of the Forces under him, to repoſſeſs their old Quarters again in the Countries of *Juliers*, *Liege*, *Cologn*, and *Treves*, or elſe to direct that 7000 Horſe, that are now in March to joyn with M. *Calvo*, do ſettle themſelves in thoſe Countries, till the *Imperial* Troops be marched out of the Empire; thoſe Miniſters of *Newburgh* and *Liege* being extreamly concerned, that thoſe Countries be not abſolutely ruined and deſolated by the Return of the *French* upon them, do preſs extreamly to have the Conferences renewed, and themſelves be preſent at them; nay, they do not ſtick to ſay, the *Imperial* Ambaſſadors have the worſt Side of the Argument, and that they ought not to refuſe or delay coming to M. *Colbert*'s Demand, which is, to agree certain Days, whereon the Places of both Sides ſhould be evacuated, and the Troops begin to march towards their reſpective Territories.

But it is not M. *Colbert* and theſe Miniſters alone, that preſs the Execution of the Treaty of the Empire; his Highneſs the Prince Elector *Palatine* does call earneſtly to have the *Imperial* Troops withdraw, and eſpecially the *Lorainers*, from between the *Rhine* and the *Moſelle*, notwithſtanding that they are ſaid to have paſs'd into the Emperor's Service; for M. *de Buſſie*, the *French* Lieutenant General, had lately ſent a Meſſage, in the Name of his King, to his Electoral Highneſs, that unleſs he and his Neighbours, the Electors of *Mayence* and *Treves*, do prevail with the Emperor to call away the *Lorain* Troops from thoſe Places where they now are, they, the *French*, muſt and will drive them out by Force; it being, as they alledge, an Infraction of the Treaty, to have the Troops of a Prince in Enmity with *France* receiv'd, by way of Colour only, into the Emperor's Service, ſo near the *French* Territories, as to give a juſt Cauſe of Jealouſie to *France*.

Thus the Prince Elector *Palatine* writes to the Emperor the $\frac{20}{30}$*th* of this Month, preſſing to have thoſe Troops called away, the Danger being viſible that the *French* will come into his Countries, and fall to Blows with the *Lorainers*. I take Leave to incloſe the Letters and Memorials I had the Honour to receive *Friday* and yeſterday from his Electo-

ral

ral Highneſs upon this Subject. One would be apt to conclude from theſe Circumſtances, that the *Imperial* and *French* Forces may come to a Claſh; and that this is done (as M. *Colbert* alledges it is) to bear up the Elector of *Brandenburgh:* But I find M. *Beverning* and others of Opinion, the Elector will make his Peace, and the King of *Denmark* too, very ſpeedily; and that the *Imperial* Troops will march out of the Empire, as the *French* would have them, notwithſtanding the Point of Honour; for thoſe States of the Empire that have the Troops of either Side lying upon them, do cry out upon the Emperor and his Miniſters, and will do it more loudly at the Dyet, unleſs they be very ſpeedily eaſed.

HAVING come thus far, the *Imperial* Ambaſſadors came to me about the Conferences, and after 4 Hours Converſation, declared they would, upon certain Conditions too long here to inſert, begin the Conferences again with M. *Colbert.* They told me, the Elector of *Bavaria* is for certain dead of an Apoplexy; the Electoral Prince wants about 14 Months of his Majority, that is, of 18 Years of Age; and his Father's younger Brother, Duke *Maximilian*, is to have the Tutorage of him in the mean while; this Duke is not ſo much a *Frenchman* (tho' married with a Daughter of the Duke of *Bouillon*) as the late Elector was: This Accident M. *Blaſpiel* looks upon as like to produce a great Change in the Empire.

I hope your Lordſhip hath a full Account from Mr. *Meredith*, of the Arms ſuſpected to be ſhipp'd for *Ireland:* I ſend your Lordſhip the Original Letter I have from Captain *Knight* upon this Occaſion. I am, *&c.*

L. Jenkins.

Nimeguen, 29th May, 1679.

MY LORD,

THE Conferences between the *Imperial* Ambaſſadors and M. *Colbert* were ſet once for *Tueſday*, but M. *Colbert* got them to be put off till this Morning, in Hopes to receive, by the Letters of this Day, ſome Certainty of M. *Meinders* having concluded the Peace of the Elector of *Brandenburgh* with the Moſt Chriſtian King: M. *Colbert* comes now and tells me, that M. *Meinders* his laſt Propoſition has been rejected; that M. *de Crequi* will be this Day at *Weſel*, where the *French* will gather together all the Forces they can, in order to fall upon the *Brandenburgh* Countries, and to purſue that War with all Vigour; tho' he came not to me, he ſaid, to unbeſpeak the Conferences, yet he told me he foreſaw they would be fruitleſs; for that the Elector not coming to a Peace, the Emperor will not withdraw his Troops out of the Empire: And it is upon this Suppoſal, that M. *Calvo* hath Orders to ſend Forces into their old Quarters in the Countries of *Juliers*, *Liege*, and *Cologn*, to repoſſeſs themſelves of their former Quarters, and to have an Eye upon the *Imperial* Troops that are ordered to ſtay in the Empire.

M. *Blaſpiel* has been with me ſince my laſt, to deſire that his Majeſty would be pleaſed, as Mediator, to make an Overture, that *Stetin* might remain to the Elector, tho' it ſhould be upon hard Terms.

I anſwered him as your Lordſhip had directed me in one of your late Letters, in caſe his Majeſty ſhould be deſired to make Plans between the Parties; but his main Buſineſs was to inſinuate, as he did in that Converſation, that if there were any Likelihood of a Breach between *England*

gland and *France*, the Elector would hold his Hand, and not accept the diſhonourable Terms the *French* would impoſe upon him, and would joyn, he ſaid, cheerfully with his Majeſty with all his Might, in caſe his Majeſty ſhould enter into the War.

M. *Heugh*, in another Converſation with me, held the ſame Diſcourſe as to the Conjunction of the King his Maſter with his Majeſty, in caſe he entered into a War with *France*; that the King of *Denmark* hath 50 Men of War well equipped, and that he hopes his Majeſty will find the Conjunction conſiderable and uſeful to him, in caſe he have need of it. Both of them taking a War between *England* and *France* to be unavoidable; and I find M. *Beverning* to be entered into the ſame Opinion, tho' he does confeſs he is not without an equal Fear for his own Country.

The Elector of *Bavaria*'s Death, and that a ſudden one, is confirmed.

I acknowledge with all Thanks the Favour of one from your Lordſhip of the 20*th*, and ſhall give your Lordſhip, by the firſt Conveniency, an Account how the Affair of the Duke of *Luxemburgh* ſtands. This being his Majeſty's Birth-Day, I take Leave to conclude with my moſt hearty Prayer, that God would bleſs him with a long Life, to Reign over us in all Peace and Proſperity. I am, *&c.*

L. Jenkins.

Nimeguen, 2d June, 1679.

My Lord,

In my laſt, which was of the 29*th* paſt, I gave your Lordſhip an Account how the Conferences between the *Imperial* Ambaſſadors and M. *Colbert* had been twice put off; but the *Imperialiſts* receiving Letters from the Elector of *Cologn*, whereby he deſired that his Reſidence of *Bonn* ſhould be emptied of the *Imperial* Garriſon that now lies in it; and having received Advice likewiſe, that the Dyet at *Ratisbone* had ſent a Requeſt to the Emperor, that he would be pleaſed to eaſe the Empire of the Forces that now lie upon it, chiefly in the Circles of *Swabe* and *Franconia*, they did not think fit any longer to decline a Conference, ſince they had ſo much been preſs'd thereto, not only by M. *Colbert*, but alſo by the Miniſters of *Newburgh* and *Liege*.

So they met on *Friday* at 10 in the Morning at the Stadthouſe, in the uſual Place. M. *Colbert* began with preſſing the Execution of the 27*th* Article of the Treaty lately made here, and urged the Example and Practice of the Treaty of *Munſter*, which was executed, alledging, and indeed making it out, that the Garriſons were then emptied, and the Troops withdrawn on both Sides *pari paſſu*.

To this the *Imperialiſts* anſwered, that the Caſe is not now the ſame, for then the Peace was general; that now here are the Remainders of a War unquenched in the Empire; that it is not ſuitable to the Truſt and Dignity of the Emperor, to withdraw his own Forces, and abandon the Empire to Strangers: However, that the States of the Empire might 'ere long come to an Underſtanding with the Emperor, how to diſpoſe of the Forces now on Foot, and then the Emperor would do that in Compliance with thoſe States as to the withdrawing of his Troops, which they did not think him obliged to do by the 27*th* Article aforeſaid; there being no Proviſion in it, nor in any other Part of the Treaty, for the retreating of his Troops into the Hereditary Countries. And here they acknowledged to have ſome Notice of the Requeſt that the Dyet at *Ratisbone* had made very lately to the Emperor, but they not know-

knowing what Reſolution the Emperor might come to upon it, could agree to nothing that was pretended to be the Drift of that Requeſt; only they expected to receive the Emperor's Pleaſure by the Ordinary of *Wedneſday* next; and then they would declare how far they ſhould be able to comply in the Thing, not from any Obligation they are under from the Treaty, but in Execution of Meaſures taken between the Emperor and the States of the Empire.

As to the other Point, for evacuating of *Bonn*, and other Places Garriſon'd by the Emperor; the *French* Ambaſſadors, they ſaid, had no Right to demand that they ſhould be evacuated, ſince they were to be reſtored, not to *France*, but to their former Lords and Magiſtrates; they doubted not but that the Emperor would gratify the Elector of *Cologn* in emptying *Bonn*, as ſoon as his Requeſt was made known to his *Imperial* Majeſty; and ſo for the other Places, which are 5, that M. *Colbert* inſiſted to have evacuated.

M. *Colbert* offered them a conſiderable Thing by way of Recompence for their evacuating of *Bonn*, if they pleaſed to do it out of Hand; it was, that *Aix la Chapelle*, and the other 7 Poſts, which the *French* are to hold in the Empire till the War of the *North* be ended, ſhould be reduced under the Pay of *France*, and the Inhabitants eaſed of all Burthens from that Day forward that the *Imperial* Garriſon ſhould march out of *Bonn*. But this the *Imperial* Ambaſſadors were not, it ſeems, able to put in Execution, till they have the Emperor's Orders for it; beſides that, thoſe Poſts were to be maintained at the Charges of *France*, and not of the Inhabitants, from the very Time that the Ratifications were exchanged; and ſo M. *Colbert* offered nothing in this, but what by the Treaty ſhould have been executed near two Months ago.

He offered alſo to empty the Dioceſes of *Cologn*, *Liege*, and *Treves*, and the Country of *Juliers*, of the *French* Troops, ſaving the Garriſons neceſſary in the 8 Poſts aboveſaid, by a Day to be ſet, if they did take Order, that the *Imperial* Troops ſhould march out of *Swabe* and *Franconia*, towards the Hereditary Countries; adding there will be no Delay or Failing on his Side, ſince M. *de Crequi* and all the ſubordinate Officers, were to follow ſuch Orders as M. *Colbert* ſhould give them in this Caſe. Here the *Imperialiſts* would do nothing likewiſe, till they knew what Reſolution the Emperor would come to with the Dyet, upon the late Overture made to him.

But M. *Colbert* will have the Advantage to publiſh throughout the Empire theſe Offers he hath made, and the Refuſal that the *Imperialiſts* have made upon them; and tho' the *Imperialiſts* have a fair Colour for theſe Delays, yet the Circles and the Eſtates of the Empire are impatient till they have Eaſe given them, and till they do partake of the Fruit of the Peace lately made, which is, to be once more their own Maſters at Home.

In this Conference, M. *Colbert* objected to the *Imperialiſts*, that ſince the Troops of the Emperor gave ſuch a Jealouſie to the *French*, that they could not purſue the War againſt the Elector of *Brandenburgh*, as long as the Emperor's Troops did, as it were, watch them, and would be ready, upon any Check that ſhould happen, to joyn with the *Brandenburgher*; it was an Infraction on the Emperor's Part, in regard here was an Aſſiſtance given *indirectly* to the Enemy of *France* and *Sweden*; which the Treaty provides expreſly ſhall not be done: He urged, that this was the ſingle Reaſon, why the Elector delayed, ſo much to his Loſs, to make his Peace; affirming, that if the Elector did once perceive, that the Emperor was in earneſt for executing of the Peace, by withdrawing of his

his Troops, he would preſently accept the Conditions that *France* offer'd him, and put an End to the War; but as long as he ſaw the Emperor armed, and obſerving the Motions of the *French*, he hoped that ſome Occaſion or other would at laſt bring them to Blows, and ſo begin the War anew.

In this Conference, which laſted for two Hours, nothing was agreed; M. *Colbert* affirming ſeveral Times, that he expected the *Imperial* Troops ſhould lead the Way to the *French* Troops out of the Empire; that if they do not, the *French* would enjoy the ſame Benefit of Quartering as the *Imperialiſts* do, not only this Summer, but next Winter, and till the *Imperialiſts* ſhall void the Empire.

This Expreſſion of *marching firſt out of the Empire*, ſeemed harſh to the *Imperialiſts*; and they replied, that the Emperor was not to lead the Way out *de chez Luy*, at the Inſtance of *France*: Upon this M. *Colbert*, by Degrees, put himſelf into a great Heat and Paſſion, inſomuch that he ſaid, they would make a War *Twenty* Years longer, rather than leave the Emperor *pour demurer Maître de l'Empire*; that *France*, as well as the States of the Empire, had an Intereſt he ſhould be bounded, otherwiſe *la* France *n'eſt plus rien, il faudra qu'elle baiſſe le pavillon & tout le monde de même à l'Empereur*. But this Storm was quickly over, they parted Friends; and the *Imperialiſts* intimated, that when they ſhould receive their Letters on *Wedneſday* next, they might be ready for a Conference; and upon the Orders that the Emperor ſhould give, in Purſuance of what the Dyet hath beſought him to do, they thought they might come to an Underſtanding with M. *Colbert*, to the Content of all Parties.

Some Miniſters here do make Account of this Difference between the *Imperialiſts* and *French*, as if it might end in a new Rupture; but it is hard to imagine, that the Emperor having conſented to the Ratifying and publiſhing of this Peace, will break it ſo ſoon, upon theſe Points of Evacuating, wherein the States of the Empire approve the Demands of the *French*, eſpecially thoſe that would be moſt expoſed if the War do begin anew. Thoſe Princes do not ſtick to ſpeak it out here by their Miniſters; beſides, the Condition of the Emperor is ill in *Hungary* at this Time; he ſees the Way that *Holland* is treated by the *French*, and how little Reſentment they think fit to ſhew of it, for fear of drawing a new War upon them.

The Expedient whereby he is like to ſave the Point of Honour in marching out of the Empire is, to call his own Troops out of it, and to leave behind him thoſe Troops that have been raiſed in the Name, and at the Charge of the Empire, tho' they have been ſince incorporated into the Emperor's Army. This the *French* will not have much to ſay againſt, that the Circles ſhould do what they pleaſe with their own Troops.

As to the *Imperial* Garriſons to be emptyed, they are ſo few, and ſo ſmall, that they are not worth the talking of, *Strasburgh* only excepted; that is a Place both Parties have a jealous Eye upon, and that one will never ſuffer the other to be abſolute Maſter of; 'tis a Town and State of the Empire, and not only ſo, but the Bulwark of it on that Side; ſo that the Emperor hath the greateſt Concern that the *French* ſhould not be Maſters of it: On the other Side, the *French* will never ſuffer the Garriſon to be wholly *Imperial*; for whoever is Maſter of *Strasburgh*, is eaſily Maſter of all *Alſatia*; ſo that the Temperament herein is like to be the taking in of *Swiſſes* to make up the Garriſon, if the Burghers be not ſufficient.

We have no more of M. *Meinders* Negotiation at *Paris*, unleſs it be that the Miniſter of *Denmark* there looks upon it as wholly deſperate; as to the Conferences in *Schoonen*, we hear no more, but that Commiſſaries are ſent from both Sides to adjuſt the Preliminaries there; tho' M. *Heugh* told me laſt Night, that the King his Maſter expects nothing of Reality on the *Swediſh* Side from thoſe Conferences.

M. *d'Olivenkrantz*, who is returned hither, told me laſt Night, he and his Collegue had ſomewhat to communicate to me relating to thoſe Conferences in *Schoonen*; as he had told me on *Thurſday* Night they had ſomething to deſire my Offices upon, in relation to two Points that are ſtill unadjuſted between them and the *Hollanders*, in their Treaty with the States General; but they have not yet been with me upon either of theſe Occaſions.

Since the writing of this, the two *Swediſh* Ambaſſadors came to me upon the two Errands abovementioned; the firſt was, that the King of *Sweden* had ordered them to acquaint me, as his Majeſty's Miniſter here, that he had been induced, in Regard of the Diſtance of this Place, to think of another to Treat their Peace in; that the King of *Denmark* had agreed to it, and that *Schoonen* is the Place; that the King of *Sweden* would have been very glad that the Peace had been finiſhed here, as that between him and the Empire was, by his Majeſty's Mediation; of the Benefit whereof he was exceeding ſenſible, and would upon all Occaſions manifeſt the Regards he hath for his Majeſty's Friendſhip and Affection upon this Occaſion; that he deſired his Majeſty would be pleaſed to ſend ſome of his Miniſters to the Place of Treaty in *Schoonen*, that the Treaty may be brought about by his Mediation; which that King, they ſaid, would be very glad of. The other Thing they ſpoke of, were 4 Points of their Treaty that M. *d'Olivenkrantz* could not bring to an Adjuſtment in his Negotiation at the *Hague*; they deſired my Offices upon them to M. *Beverning*; but it will be too tedious now to trouble your Lordſhip with the Particulars.

I take Leave to incloſe to your Lordſhip M. *de Feuquieres* Letters that M. *Heugh* communicated to me, and ſome other Papers about evacuating the Empire of the Troops and Garriſons on both Sides. Having ſpoken now as I am cloſing with M. *Beverning*, he tells me, 'tis his Belief that the *Imperial* Ambaſſadors will have Orders to direct the withdrawing all the Emperor's Troops out of the Empire; and then ſaid, *ce ſera à nous à ſonger à nos affaires*, intimating, that this Country would be in Danger from the *French*, when the Emperor's Troops are recalled. I am, *&c.*

L. Jenkins.

Nimeguen, 5th June, 1679.

My Lord,

I Dare not take upon me to anſwer for the Conſequences of my giving ſuch a Certificate as the Duke of *Luxemburgh* deſires: 'Tis true there is nothing in it that looks like a Judgment given upon the Title one Way or other; but the giving of any Certificate, or the doing of any Act in this Caſe, without firſt acquainting the *Spaniſh* Ambaſſadors here with it, nay, without having their Conſent to it, would be interpreted an Act prejudicial to the Crown of *Spain*; and may be an Occaſion of very high Reſentments, if that Crown ſhould come to be otherwiſe than in a good Underſtanding with his Majeſty; for it may

be pretended hereafter, (and not without Reaſon too) that by ſuch an Act, the Claim which the Dutcheſs of *Luxemburgh* makes to that Dutchy, was, as it were, admitted, and the entering of it in ſome Sort recorded by his Majeſty's Miniſter here; whereas his Majeſty hath nothing to do, neither by his Mediation, nor by Compromiſe, nor as Sovereign of the *Fiefe*, nor any otherwiſe in this Matter. In this the Example of *Munſter*, and of the Mediators there, ought to be the Rule; for there the Duke *de la Tremouille* put in his Pretenſion to the Kingdom of *Naples*, in the ſame Manner before the Mediators; but there was no Manner of Act done upon it, much leſs Certificate given about it by the Mediators. The ſame Pretenſion to the Kingdom of *Naples*, was laid before me here; but I did no Act, nor did I give any Manner of Certificate relating to it, but excuſed myſelf to the Duke *de la Tremouille*'s Procurator, upon the Example of *Munſter*, and the Reaſon above hinted; wherewith he was pleaſed to be ſatisfied.

HERE hath nothing paſs'd ſince my laſt, between the *Imperial* Ambaſſadors and M. *Colbert*, but that they gave into my Hands the Liſt that goes incloſed of thoſe Places that they pretend the *French* ſhould reſtore in vertue of this Peace. M. *Colbert* hath not yet anſwered upon the Particulars of it.

I humbly acknowledge the Favour of your Lordſhip's Letter of the 27*th* paſt; I ſent to M. *d' Olivenkrantz* this Day, but cannot ſpeak with him till after the Poſt is gone. I am, *&c.*

L. Jenkins.

Nimeguen, 9th June, 1679.

MY LORD,

MY Collegues and myſelf have had heretofore ſeveral Occaſions to obſerve in our Diſpatches, that we were always admitted to a ſufficient Light, whereby to know what was paſſing in the Negotiations between the *Swedes* and the *Dutch*, and ſo between the *French* and the *Dutch*, (while that was depending) about their Commerce, the Parties managing it themſelves, and now and then excuſing the Thing to us, as not of Weight enough for our Offices; only the *Swediſh* and the *Dutch* Ambaſſadors too have, every one in his Turn, charged the other obliquely, with carrying their Treaties to the *Hague*; whereas each Party profeſs'd himſelf content and deſirous to have an End put to all their Differences under his Majeſty's Mediation here; and upon this Account M. *d' Olivenkrantz* and M. *Beverning* have taken Occaſion, at ſeveral Times, to diſcourſe to me of the preſent State of their Treaties, and of ſome Things that have paſs'd at the *Hague* during M. *d' Olivenkrantz* his Negotiation there.

I ſhall take Leave to obſerve to your Lordſhip, that there are two Treaties intended between *Sweden* and *Holland*, the one of Peace, and the other of Commerce; in that of Peace, when M. *d' Olivenkrantz* went to the *Hague* in *April* laſt, there were 4 or 5 Points in which they differed; M. *d' Olivenkrantz* has told me ſince his Return, they were all adjuſted at the *Hague*, ſaving one Point, which was this: The *Swedes* would have an Act of the *Dutch* Ambaſſadors, that the States General will obſerve an exact Neutrality in regard of *Sweden*, during this War in the *North*.

M. *Beverning*, in Behalf of the States, anſwers, that they have already given an Article to the *French* to that Effect, and that he and his Col-

Collegue ſhall declare and repeat the ſame again to the *French* Ambaſſadors in the Preſence of the *Swedes*; but they will give no new Act, ſince that would give the *Dane* and *Brandenburgher* a freſh Occaſion to reproach them, for having abandoned their Allies, in making their Peace with that Precipitation they did.

M. *Colbert* told me the other Day, that in this the *Swedes* are in the wrong, and that he will tell them ſo to their Faces; for that they had declared to him, they would be content that this Act about the Neutrality ſhould be repeated to them the *French* Ambaſſadors only; and not given as 'tis now demanded, as a direct Obligation from the States to the King of *Sweden*, that they will continue Neuters during this War: This is all I know of the Treaty of Peace; only M. *Beverning* told me about 4 or 5 Days ago, that there may be a Temperament found in this, if every Thing elſe can be agreed on; but that notwithſtanding the Article about ſatisfying for the Corn-Ships brought to *Stralſund*, and unladed by Count *Coningsmark*, be adjuſted, (for that is one of the Articles of the Treaty of Peace) yet they have had 7 or 8 Merchant Ships taken by *Swediſh* Capers; and for thoſe the *Dutch* muſt have Satisfaction, before the Treaty of Peace can be concluded.

The Treaty of Commerce conſiſts, according to the Copy I have of it, of 35 Articles: I take Leave to ſend your Lordſhip a Tranſcript of it, as I had it from M. *d'Olivenkrantz* in *November* laſt; but there may be many Things chang'd in it ſince, at the *Hague*, or here, without my Knowledge.

But the *Swediſh*, the *Dutch*, and the *French* Ambaſſadors too, have, upon ſeveral Occaſions, told me, that all the Difficulty about the Commerce lay in the *6th* and *7th* Articles of the Project, the reſt being Articles common to all Treaties of Commerce; and of the *7th*, which is the principal, I take Leave to ſend your Lordſhip a Copy, as I have it from M. *d'Olivenkrantz* ſince his Return from the *Hague*; he telling me, that he and the Deputies of the States had agreed it fully in the very Words I now ſend it, excepting the laſt Clauſe, which conſiſting of two Branches, he pretends to have entirely admitted, or elſe entirely left out.

The *6th* and *7th* Articles being thoſe that relate to the *Swediſh* Trade directly, I ſhall humbly take Leave to enlarge upon them, *firſt* as they were inſiſted upon by the *Dutch* Ambaſſadors before M. *d'Olivenkrantz* went to the *Hague*; next as they are now adjuſted; that your Lordſhip may the more clearly diſcern what Influence this Treaty of Commerce may have upon our Trade in the *North*.

In theſe two Articles, as the *Dutch* Ambaſſadors firſt projected them, there were four Points they inſiſted on with much Earneſtneſs.

1. That it might be free for *Hollanders* to import and export all Manner of Merchandizes, that were not expreſly forbidden in *Sweden* to be imported or exported by the Subjects of that Crown, as well as by Foreigners; their Aim therein was, to have certain Companies in *Sweden* broke and aboliſhed, eſpecially thoſe that had the Monopoly there of Pitch, Tar, and Tobacco.

The 2*d* Point was, that whereas there is a Difference made in *Sweden* between *Swediſh* Ships that are armed, and carry Merchandizes, and Ships that are not armed, ſo that the Goods laden in the firſt Sort pay leſs Cuſtoms than Goods in Ships that are not armed, (whether they belong to *Swedes* or other Nations) and that this Difference was eſtabliſhed in the Years 40 and 45; the *Dutch* Ambaſſadors had it in their Aim, and in their Project, to reduce all Impoſitions, and eſpecially this Difference and Inequality, to the Foot they were upon in the ſaid Years

40 and 45; ſince the ſaid Cuſtoms and Impoſitions have been raiſed oftentimes, and the Difference and Inequality heightened.

At firſt, where the *Swediſh* Ships armed or privileged paid 4 Rixdollars, a *Holland* Merchant Ship paid but 6; but the Diſproportion of late hath been much greater; the *Dutch* Ambaſſadors, in their Debates here, did not pretend that the King of *Sweden* ſhould have his Hands tyed, ſo as not to raiſe his Impoſitions upon Strangers as he ſhould think fit, but only that he ſhould raiſe upon his own Subjects too in Proportion; as for Inſtance, if he ſhould raiſe the 6 Rixdollars aboveſaid to 12, upon a *Holland* Merchant Ship, he ſhould raiſe it to 10, and not to 8, upon the *Swediſh* armed Ship; I mean, the Diſproportion of 4 and 6 for Example, which was eſtabliſhed in 40, and 45, ſhould not be changed, as it hath been of late Years; and for any additional Duty to be added upon the Diſproportion, they pretended it ſhould be equal upon the *Swede* and the *Hollander*.

'Tis to be obſerved, that the *Swedes* do not pretend to make this Difference, of Ships that are armed and not armed, in all their Ports upon the *Baltick* Sea, but only in the Ports of the Kingdom of *Sweden*, (wherein they ſay *Schoonen* is incorporated) and in the Ports of *Finland*.

The 3*d* Point that the *Dutch* Ambaſſadors projected to gain in this Treaty, was the aboliſhing of certain Impoſitions laid upon their Ships, tho' without any Lading in them, in the Ports of *Riga*, *Revel*, and *Wybourg*; and that their Subjects might freely Travel and Trade up and down in all the Dominions of the King of *Sweden*.

A 4*th* Point was, that it might be lawful for *Hollanders* to have Houſes of their own, and Ware-houſes too, to keep their Goods in, and expoſe them to Sale, and not be bound to put their Goods in Publick Cellars.

There are two Points more not ſet down in the firſt Project, but ſtarted ſince, I ſuppoſe, at the *Hague*; the one is, that all Statutes and Cuſtoms introduced ſince the Year 1640, whereby the Liberty of Commerce is diminiſhed or reſtrained, be revoked and aboliſhed. The other Point is, that *Hollanders* may enjoy in *Sweden* all Immunities and Advantages that any other Stranger Nation, the ſtricteſt in Friendſhip with it, (the Words in the *Latin* are, *amiciſſima quævis gens extera*) doth at this Time enjoy, or ſhall at any Time hereafter be admitted to, in all Matters whatſoever relating to their Perſons, or elſe to Trade and Traffick.

The four firſt of theſe Points, tho' they had been much bandyed here at ſeveral Repriſes, but without Succeſs, were adjuſted at the *Hague* in M. *d'Olivenkrantz* his Negotiation there: It was thus.

As to the 1*ſt* Point, the *Hollanders* have Liberty, by the *6th* Article, to import and export every Thing that is not forbidden the proper Subjects of *Sweden* to deal in.

'Tis true, the *Hollanders* do ſtipulate by the Treaty, that the Companies they were aggrieved with ſhall be aboliſhed; this the *Swedes* would not be brought to, out of a Regard to the Dignity of their Maſter; but they have agreed to give a ſeparate Act under their Hands, when they come to ſign this Treaty, whereby they will declare and promiſe, that whereas the States General deſire the aboliſhing of ſeveral Companies prejudicial to the Liberty of Commerce, that their King doth intend to do it, and that there ſhall be Orders iſſued out for the aboliſhing of all Companies that are contrary to the Intent of the *6th* Article, and particularly thoſe of Pitch, Tar, and Tobacco; and that this ſhall be done with Effect, at the ſame Time that the Inſtruments for the Ratification

of

of this Treaty do paſs the Forms in *Sweden:* I take Leave to incloſe herewith a Copy of that Act, as it was agreed at the *Hague*, the laſt Thing only excepted; for the *Swedes* will not add, *that the like Companies ſhall not be erected for the future.*

As to the 2*d* Point, about which there was the greateſt Difficulty, the Difference and Diſproportion to be obſerved between the Cuſtoms and Impoſitions paid by *Swediſh* Ships that are armed, (and conſequently privileged) and *Holland* Merchant Ships, is thus regulated:

1. No Ship ſhall be reputed armed, ſo as to be privileged, unleſs it carries 24 great Guns, and have certain other Requiſites, preſcribed in a late Placart of the King of *Sweden.*

2. This Difference between the armed Ships of *Sweden*, and the *Holland* Merchant Ships, ſhall be made only in the Ports of the Kingdom of *Sweden* and of *Finland*; but in the Ports of *Eſthonia*, *Livonia*, *Ingria*, *Pomerania*, *Mecklemburgh*, and all other Places belonging to that Crown, there ſhall be no ſuch Difference, Inequality, or Diſproportion in the Cuſtoms and Duties; the *Hollanders* being to pay no more than *Swedes* (tho' armed) do, in theſe Ports laſt mentioned.

3. That the Difference or Diſproportion that *Holland* Ships are to pay, over and above what *Swediſh* armed Ships do pay, ſhall be upon the ſame Foot it was in by the Printed Book of Rates of the Year 1668; what the Diſproportion is, neither the *Swediſh* Ambaſſadors, nor the *Dutch* Ambaſſadors, nor yet M. *Silvercroon*, have been pleaſed to tell me; all ſaying, (when I asked the Queſtion, as I did often) they knew it not, but referring themſelves to the Printed Tables or Books of that Year.

This is a Point that the *Swedes* have clearly gained upon the *Dutch*, for they inſiſted from the Beginning, to have the Diſproportion fixed upon the Tariff of 68, and have now got it ſo fix'd, tho' the *Dutch* labour'd to reduce it to the firſt Eſtabliſhment of 40, and 45 only.

4. The *Dutch* have gotten four Species of Merchandizes, that is, Timber, Corn, Pitch, and Pot-aſhes, to be rated as to the Diſproportion, not upon the Foot of 68, but upon the Foot of another Tariff more moderate, which was made in the Year 1659: Yet M. *d'Olivenkrantz* pretends, they are at Liberty to go off from their Engagements, as to theſe four Sorts of Commodities, and to inſiſt, that they be rated as all the others upon the Tariff of 68, in regard he had yielded this Point, upon a Suppoſition that the Peace ſhould be concluded at the *Hague*, when this Point was Treated and debated on; but it having fallen out otherwiſe, he and his Collegue would be thought to be at Liberty to go off from what was agreed touching theſe four Sorts of Commodities.

5. The Difference or Diſproportion abovementioned, is impoſed with relation to the Ships alone, not at all to the Goods or Merchandizes in them; ſo as the Goods of *Hollanders*, when they are laden in theſe armed or privileged Ships of *Sweden*, ſhall pay no more than if they belonged to *Swedes*; the ſame Abatement or Diſproportion of Duties being allowed to *Holland*, as to *Swediſh* Goods, when the *Holland* Goods are laden in theſe *Swediſh* armed Ships.

6. That if the Duties be at any Time raiſed, it ſhall be equally upon the *Swediſh* Subjects as upon the *Hollanders*, and no Diſproportion uſed but what is fixed by the Tariff of 68; and that in the Ports, and upon the Ships aboveſpecified, ſo that ſuppoſing the Inequality then fixt to be, that an armed *Swediſh* Ship ſhall pay but 4, where a *Hollander* pays 6, if 6 more, or any other Addition, be from henceforth laid upon Goods in *Swediſh* Ships, tho' arm'd and privileg'd.

7. It

7. It is further agreed for a general Rule, that this Diſproportion being thus fix'd in *Sweden* and *Finland*, the Subjects of *Holland* ſhall be bound to pay in all other Ports and Places no more, or other Duties, than what the Subjects of *Sweden* do; and there ſhall be no Immunity or Preference granted to the *Swediſh* Subjects, to the Prejudice of this mutual Liberty.

Here I take Leave to obſerve, that each Party reſerves to itſelf, by Implication, a Liberty to raiſe the Duties, as they ſhall ſee Cauſe, in their reſpective Dominions, provided one Party do exact no more of the Subjects of the other, (excepting the Diſproportion abovementioned, between *Swediſh* armed Ships and *Holland* Ships) than from their own proper Subjects: But the Demand that the *Dutch* Ambaſſadors made in their firſt Project was, that all Duties ſhould be reduced to the Foot they were upon in *Sweden* in the Year 1640, and in the United Provinces in the Year 1654.

8. There ſhall be Printed Tables in all Places neceſſary, for to ſhew as well the Diſproportions aboveſaid, as all other Duties that are to be paid.

Thus this great Point of Duties, and the Diſproportion between them, upon armed Ships of *Sweden*, and upon *Holland* Merchant Ships, was at laſt agreed with M. *d'Olivenkrantz* at the *Hague*; and tho' I ſend your Lordſhip the Article itſelf, as both Sides do own it to be agreed, yet I have endeavoured to repreſent it to your Lordſhip diſtinctly, it having been a Matter that has puzzled the Parties themſelves to penetrate, and to come to an Underſtanding in, as well as the *French* Ambaſſadors and myſelf, who, upon Occaſions, have meddled in it.

As to the 3*d* Point, the Impoſitions in the Ports of *Riga*, *Revel*, and *Wybourg*, upon Ballaſt of Ships, it is agreed, that thoſe Impoſitions ſhall be aboliſhed, if they have been introduced ſince the Year 1656.

As to the Travelling or Trading of *Hollanders* up and down the Countries, I do not find any expreſs mention made of it in the 7*th* Article; but it may be thought to be provided for in the general Words of the Peace, and in thoſe of the 6*th* Article of this Treaty of Commerce.

As to the 4*th* Point, which is about Dwelling-houſes and Ware-houſes, it is agreed, that it may be free for the *Hollanders* always, and every where within the King of *Sweden*'s Dominions, to lay up, and expoſe to Sale, their Salt, Hops, and Herrings, in Houſes of their own.

In the two other Points ſet up lately at the *Hague*, they are not yet come to a Concluſion; for that of aboliſhing all Statutes and Cuſtoms reſtraining Trade, *&c.* the *Swedes* are content to aboliſh all that have been introduced ſince the Year 1656, but the *Dutch* would have the Abolition to commence from the Year 1640.

As to the other Point, of granting to the *Hollanders* equal Privileges with any Nation whatſoever; the *Swedes* ſay, they are content to do it, but then there being certain Impoſts in *Holland*, laid upon all Merchandizes whatſoever, that are either ſhip'd from *Holland* for any Part of the *Baltick* Sea, or elſe that are imported into *Holland* from any Part of the *Baltick*, over and above what the ſame Merchandizes ſhould pay in *Holland*, if they were imported thither from any other Part of the World, or were tranſported to any other where than into the *Baltick* Sea; the *Swedes* would have this Impoſt taken off; if this be denied them, they are denied, they ſay, the Reciprocal of theſe Words, *amiciſſima quævis gens extera*; and here both Sides ſtick.

M. *Beverning* ſays, he allows that in *Holland* there is, and has been of a long Time, an additional Duty impoſed upon all Goods going or coming

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ing through the *Zundt*; that their own Subjects do pay it, and all other Nations as well as the *Swedes*; and that there have been three Treaties of Commerce made between *Holland* and *Sweden*, and yet this Duty never deſired to be taken off. To this the *Swedes* anſwer, that the laſt Clauſe of the *7th* Article, as your Lordſhip will find it apoſtill'd, muſt ſtand entire, or elſe be wholly omitted; that is, either they muſt have this Duty relating to the *Zundt* taken off, or elſe they muſt be left to their Liberty, to allow other Nations ſome Privileges that they do not allow the *Hollanders*.

THUS, MY LORD, you have the beſt Account I am able to give, of the preſent State of the Treaty of Commerce; and of the Differences, partly adjuſted, and partly unadjuſted, between the *Swedes* and *Dutch* Ambaſſadors.

I did, according to your Lordſhip's Command, diſcourſe this Buſineſs on *Saturday* laſt with M. *d'Olivenkrantz*; he ſays, he offered to make a Treaty of Commerce when he was in *England* laſt, and that he did not clog his Offer with any Conditions relating to the Mediation or the War; he hopes, he ſays, to return into *England*, and there to make a Treaty of Commerce with his Majeſty; that in the mean while, his Majeſty's Subjects will have one Benefit by this Treaty with the *Dutch*, which is, the breaking of the Monopoly Companies, which will be as ſoon as the Treaty with *Holland* is ratified; but I could not get him to ſpeak out, what *Sweden* might, or would yet do, for the continuing and improving of the Commerce with *England*.

UPON this Occaſion, I ſhall take Leave to incloſe to your Lordſhip, a Paper that Sir *Joſeph Williamſon* delivered to M. *d'Olivenkrantz* when he was in *England* about *September* laſt; it contains ten Grievances to our *Engliſh* Trade in *Sweden*; I will endeavour to lay before your Lordſhip, wherein, and by what Articles of this Treaty of Commerce, the *Dutch* have relieved themſelves from thoſe Grievances, as far as they were common to them as well as to us.

AS to the other Matters depending here, there is nothing of Moment occurr'd ſince my laſt of the *5th*; the *Imperial* Ambaſſadors have offered, that the Cities of *Treves*, *Keyſer*, and *Bonn*, ſhall be evacuated of the *Imperial* Garriſons in them, but would not be underſtood to offer this as a Compliance with the *French* Ambaſſadors Deſire, or as from any Obligation by the late Treaty to do it; they do it, ſay they, becauſe the Princes, who are Lords of thoſe Places, have made it their Requeſt to the Emperor; but then they would be aſſured beforehand, that the Troops of *France* would withdraw from the Neighbourhood of thoſe Places, and conſequently that they ſhould be out of Danger of Inſult or Surprize.

THIS does not come up to the Demand of M. *Colbert*, who would have the *Imperialiſts* declare, that they will empty thoſe Places, and withdraw their Troops out of all thoſe Countries, which are not to remain to the Emperor, either by the Treaty of *Nimeguen*, or by that of *Munſter*; this he offers on his Part to do, and to ſet certain Days for the doing it, and will not come to the naming of particular Places, till the *Imperialiſts* do agree to this general Propoſition: But in that Offer, ſay the *Imperialiſts*, there lies a Caption; for the *Imperialiſts* do pretend, that the *French* are bound, in Execution of this Treaty, to evacuate the Ten Free Towns in *Alſatia*; but M. *Colbert* alledgeth, that the King his Maſter hath Right to put and conſtitute what Garriſons he pleaſes in them, by vertue of the Treaty of *Munſter*, and ſo he will not evacuate thoſe Places.

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THE *Imperialiſts* may demur upon theſe Points for a while, but they muſt 'ere long withdraw their Troops to the Hereditary Countries upon their own Principle; for the Princes of the Empire are moving, not only by way of the Dyet at *Ratisbon*, but by all other ways, to have the *Imperial* Troops be gone, and all Places and Countries eaſed of ſo great a Burthen; and in bringing on this, M. *de Strasburgh* is not a little inſtrumental.

THE *Imperialiſts* told me on *Friday*, they had ſeveral Memorials to give in to me, of Infractions upon the Peace by the *French*; but the ſaddeſt of all, are thoſe relating to *Juliers*, whither the *French* are returned again, notwithſtanding the Duke of *Newburgh* be a Party to the Peace of the Empire, to the utter Ruin of that poor Country.

M. *Blaſpiel* being with me on *Friday*, told me, he could not poſſibly be ſooner acquainted, than by the Poſt that is to come in from *Berlin* this Night, ſeveral Hours after that this Extraordinary ſhall be gone, with the Reſolution that the Elector will have taken, upon the laſt Refuſal made to M. *Meinders* in *France*; he ſtill ſpoke as if it were impoſſible for the Elector to reſolve to part with *Stetin*; but that being left him, there would be a Way found to accommodate all Things elſe.

IN this Converſation, he would needs inſinuate again, that if there were any Hopes out of *England*, the Elector would bear up notwithſtanding all this: I told him, that certainly his Majeſty would, out of his own peaceable Inclinations, as well as his own Royal Judgment, avoid all that was poſſible the entering into a War; and that I did believe, the Miniſter of the Elector of *Brandenburgh* might eaſily ſatisfie himſelf in *England*, that his Majeſty's Counſels are all tending at this Time to live in Peace with his Neighbours.

WE have no News of the Conferences in *Schoonen*, and the laſt from *Cologn* ſpeak, that the Army under the Mareſchal *de Crequi*, was to begin its March from *Lipſtadt* on *Thurſday* laſt, ſtrait towards *Minden*.

M. *Beverning* tells me juſt now, as I am cloſing, that M. *Meinders* his laſt Letters to M. *Blaſpiel* do adviſe, that there are ſuch Preparations going on in *France* of all Sorts, and in all Places, as if that King intended to begin a War anew againſt the whole World. I am, *&c.*

L. Jenkins.

Nimeguen, 12th June, 1679.

MY LORD,

MY laſt was of the *9th*, wherein I gave your Lordſhip the beſt Account I could, of the State of the Treaty of Commerce between the *Swedes* and *Holland*; I have nothing to add, and can only watch the Progreſs of it.

M. *Blaſpiel* told me yeſterday, he had received Letters from the Elector his Maſter the Day before, whereby his Electoral Highneſs gave him to underſtand, that he had then ſent freſh Orders to M. *Meinders*, that would certainly produce a Peace, and therefore gave him, M. *Blaſpiel*, Directions immediately to repair to M. *Colbert*, and to be inſtant with him to make Uſe of the Powers he hath intruſted him, ſo as to make all Hoſtilities in the Elector's Countries to ceaſe.

M. *Colbert* owned he hath ſuch Powers, but excuſed himſelf from giving any ſuch Orders to the Commanders, till M. *Blaſpiel* and he were come to an Agreement; beſides, this new Overture of the Elector's being

being ſent not to this Place, but ſtrait to the Court of *France*, the Orders for ceaſing Hoſtilities were to be expected thence, in caſe the Moſt Chriſtian King ſhould like of the Terms propoſed; and not from M. *Colbert*, to whom M. *Blaſpeil* (as he told me) was not able to give any Account, of the particular Offers that the Elector was now come to. For M. *Blaſpiel*, as he ſays, had not by the laſt Poſt the Particulars of the Elector's Orders to M. *Meinders*, but expects them by the next; only he is adviſed by private Letters from Court, there is little doubt to be made but that the Offers which M. *Meinders* is now enabled to make, will ſatisfie the Court of *France*.

M. *Colbert*, upon Confidence that the Elector is in earneſt, took upon him to write to Meſſieurs *de Crequi* and *Calvo*, to let them know in what State the Elector's Negotiation is in at this Time, and what himſelf, upon M. *Blaſpiel's* Report, believes of his being near an Accommodation; leaving them, as to the reſt, to make what Uſe they in their Diſcretion ſhould think fit of the Advertiſement.

Tho' M. *Blaſpiel* told me no Particulars, ſaying, he had none to impart, yet he mentioned *Stetin* expreſly, and ſaid, he did not know whether his Maſter had given over inſiſting on it or no; but he ſaid it in ſuch a Manner, as if the Elector was willing to quit that Hold.

When I asked him, what Progreſs the King of *Denmark* made in his Peace? He anſwered me, none as yet; the *Schoonen* Conferences being not to begin till the $\frac{17}{27}$*th* of this Month; however, that he had Orders, he ſaid, to aſſure M. *Heugh* here, that the Elector would not conclude his Peace till the King of *Denmark* had made his; and that that King hath given the Elector the like Aſſurance on his Part.

Speaking further with him about the Intereſts of the Dukes of *Mecklemburgh*, about the Toll of *Warnemund*, in order to have them ſet right, if poſſible, in the Elector's Treaty with *Sweden*; he told me, he would do his beſt, and had Orders ſo to do, if the Treaty were to be made and finiſhed in this Place; that he did believe it would be ſo, ſure he was, it was the Elector's Deſire it ſhould be ſo, out of the deep Regards he had for his Majeſty's Mediation; but that if the Court of *France* do determine it otherwiſe, the Elector muſt ſubmit in that, as in all Things elſe.

I take Leave to incloſe to your Lordſhip a Paper that M. *Beverning* left with me 3 or 4 Days ago, about a Light-Houſe that the King of *Denmark* is to keep up upon the Iſle of *Anout* in the *Baltick* Sea; his Deſire was, that I would take ſome Time to joyn my Offices with his, towards the *Swediſh* Ambaſſadors here, the King of *Denmark* being willing to maintain the Light-Houſe, for which he has an Impoſt from all Ships; but the *Swediſh* Capers are ſtill beating it down, and ruining it; there being no Inhabitant upon the Iſland, but ſuch as are ſet there to look to the Light.

Tho' I hear no more from the *Imperialiſts* or M. *Colbert*, touching the voiding of the Troops, yet by a Letter I have the Honour to receive juſt now from his Highneſs the Prince Elector *Palatine*, I find that not only the Emperor hath promiſed ſpeedy Eaſe to the Princes intereſted, but alſo that it is preſs'd with all Earneſtneſs at the Dyet; and that the Count *de Chavagnac*, Commander in Chief of the Troops beyond the *Rhine*, hath ſignified to his Electoral Highneſs, he had received Orders to withdraw his Troops; but when the Elector's Letter was written, they had not yet begun their March: So that it is probable the *Imperialiſts* and the *French* will let this Evacuation work itſelf out by Degrees, rather than endeavour any more to agree it by Conferences, the

Principles they go upon being ſo very diſtant; for M. *Colbert* would have the *Imperial* Troops under an equal Obligation to retreat out of the Empire; which the *Imperialiſts* contradict, as inconſiſtent with the Dignity and the Truſt of the Emperor.

M. *Colbert*, at a Viſit he gave M. *Haren*, told him, he expected Orders by the Poſt of *Sunday* next, to return into *France*; this M. *Beverning* and M. *Haren* underſtands, as if he intended to make the Treaty with the Elector of *Brandenburgh*, and ſign it here before he went, but not to ſtay for the Ratifications. I asked M. *Beverning*, upon this Occaſion, whether there was any Thing done of late in their Treaty of Commerce with *Sweden*; he told me, that ſince the Debate he had had with the *Swediſh* Ambaſſadors, ſoon after M. *d'Olivenkrantz* his Return hither from the *Hague*, he had no Anſwer nor Orders upon the Account he had given to the States; the Reaſon was, that he who is the principal Commiſſioner of the States in that Affair, was gone to *Zealand*, and was not expected ſooner to return than this Day. I am, *&c.*

L. Jenkins.

Nimeguen, 16th June, 1679.

My Lord,

MY laſt was of the 12*th* Current, ſince which I have not the Favour of any from your Lordſhip to acknowledge.

M. *Blaſpiel* being with me yeſterday in the Evening, was pleaſed to communicate to me the Particulars which came to his Hands on *Friday*, of the Elector his Maſter's laſt Inſtructions to M. *Meinders*; they were,

1. That M. *Meinders* was to propoſe ſeveral Ways, and to uſe all Means poſſible, that *Stetin* might remain to the Elector. 2. That if this might not be, there was a Liberty left him to part with *Stetin*. 3. That upon that Conſideration, there was a much greater Sum of Money to be inſiſted on, in order to give ſome Relief to the many Creditors the Elector hath.

M. *Blaſpiel*, when I obſerved to him, that the Prints made the Sum to be a Million of Crowns, did not deny the Thing, but wondred how it came to be in Print.

The Elector, before he came to this Reſolution, ſpoke with every one of his Counſellors in particular, and afterwards had them aſſembled together; and when they had delivered their Opinion to the Effect aforeſaid, he gave Orders that an Inſtruction ſhould be drawn up to M. *Meinders* accordingly, but with the greateſt Signs of Reluctancy; adding no more, but that if it muſt be ſo, there was one only Point to be taken Care of, which was, that it might be done with the ſaving as much as poſſible of his Honour: And it affected him ſo deeply, that he fell ill immediately upon it; and M. *Blaſpiel* ſeemed to be very much in Pain, till it pleaſe God he have the News of the Elector's being in a better Condition of Health.

M. *Blaſpiel* told me, he had not yet ſpoke with M. *Colbert* upon any of the Points abovementioned, nor communicated any Thing to him of the Diſpatch he received on *Friday* laſt; but he told me in Confidence, that he expects by the Ordinary of *Sunday* next, we ſhall have the News here that M. *Meinders* hath made the Peace in *France*; his Orders leave him in that Latitude, and M. *Blaſpiel* doubts not but that his Judgment will have lead him to finiſh the Affair out of Hand, tho' he ſays, he may, as his Orders are penn'd, betake himſelf to the other Way,

Way, and either delay or refuſe to conclude it; but he is ſo far from thinking he will delay it, that he, M. *Blaſpiel*, did on *Saturday* laſt give it as his Opinion to the Regency and Nobles of *Cleves*, that came to ask his Advice, that they would do beſt to take their Meaſures for compounding with the *French* in the Matter of Contributions; as if M. *Meinders* would certainly conclude the Peace within a very few Days.

Some other Things he told me by way of Converſation, as that M. *Meinders* had adviſed him, by his Letters dated the 10*th* Current, that an Ambaſſador, which lately arrived at the Court of *France* from *Sweden*, labours all he can to hinder the ſpeedy Concluſion of this Peace with the Elector, in Contemplation of the Advantages that *Sweden* will have, by protracting this War, which are the great Subſidies that come to it out of *France*, and a Certainty of its being re-eſtabliſhed in all it hath loſt.

Another Thing was, the great Levies that are made in *France*, notwithſtanding all the Probability of a ſpeedy Peace; Colonel *Stuppa* having told M. *Meinders* but the Day before, that he had by the King's Orders very lately cauſed Levies to be made, to the Number of 15,000 Men, in *Switzerland*.

A *third* Thing was, that it was certain ſuch Preparations are not made without ſome great Deſign in view, and that Men were divided in their Opinions, ſome ſaid that it was againſt *Italy*, others againſt *England*; but it was M. *Meinders* Opinion, it was moſt probably meant againſt *England*; that it was certain the Court of *France* did earneſtly deſire to put a ſpeedy End to this War with *Brandenburgh*, in order to attend ſome greater Deſign. In a Word, I ſee plainly, that M. *Blaſpiel* concludes his Maſter's Peace to be as good as made, 1. From the laſt Orders of the Elector to M. *Meinders*. 2. From the No-preparations that the Elector makes, to make Head againſt the *French* upon the *Weſer*; he having no leſs to fear from the Houſe of *Lunenburgh*, than from the *French* themſelves. 3. From the little Help he is to expect from any Part of the Empire, or from the King of *Denmark*.

He told me further, that having communicated what is above to the *Daniſh* Ambaſſador, he was not well pleaſed with it; and ſaid, it amounted to a Separation from his Maſter the King of *Denmark*; but he aſſured M. *Heugh*, no ſuch Thing was intended; obſerving to him withal, that there being no leſs than five of the Elector's Provinces at this Time in the Poſſeſſion of the *French*, (and the worſt of thoſe five being far more conſiderable in Value than the Counties of *Delmenhorſt* and *Oldenburgh*, which are the only Places of the King of *Denmark*'s in preſent Danger of the *French*) it was high Time for the Elector to look about him, the King of *Denmark* being not able to ſpare him any of his Men, ſince he will have Work enough for them in *Schoonen* and *Holſtein*. But he offered M. *Heugh* withal, that if he could ſhew him any Reſource, whereby the Elector might, with any Probability of Succeſs, bear up againſt the *French*, to diſpatch an Expreſs preſently to *Berlin*; and he doubted not but the Elector would hold his Hand.

In this Converſation, I asked him how Things ſtood in the Empire, as to the withdrawing of the *Imperial* Troops into the Hereditary Countries; I having not heard of late any Thing from the *Imperial* Ambaſſadors on the Subject: To this he produced me a Letter of the 4*th* Current, *O. S.* from the *Brandenburgh* Miniſter at the Dyet at *Ratisbon*, whereby he adviſes, that the States there were agreed to beſeech the Emperor to withdraw his Troops, only they were upon a nice Difference (ſcarce to be perceived) about the wording of the Time; they had firſt drawn it up *auſſi tôt qu'il ſera poſſible*, which they had ſince changed into theſe

Words, *au plus tôt qu'il eſt poſſible*; thereby to ſhew, as was intended, how earneſt and preſſing the States were to have them be gone.

THIS is all the Account M. *Blaſpiel* gave me, both of the Diſpoſition of the Dyet, and of his Maſter's Peace. But M. *Colbert* the Day before expreſſed himſelf to me, as if he had quite another Apprehenſion of thoſe Things; he had Advice, he ſaid, of a Letter that the Biſhop of *Gurck* had written into *Switzerland*, whereby he obſerved, that it was in vain to expect that the *Imperial* Troops ſhould quit the Empire, as long as the *French* Troops were ranging, as now they are, in the Heart of it; ſo that what good Words ſoever, ſaid he, the *Imperialiſts* do give the Princes of the Empire, of their Readineſs to march out of it, they intend no ſuch Thing: And for the Peace of *Brandenburgh*, he ſays the Elector delays it in this View, that the *Imperialiſts* and the *French* may again come to a Rupture about marching their Troops out of the Empire; and he complained, that he had not heard from M. *Blaſpiel*, as he had on *Tueſday* promiſed him he ſhould, what the Particulars of the laſt Inſtructions of the Elector to M. *Meinders* were; he ſaid, the Electoral Miniſters did but trifle with the Court of *France*, and that the Elector did deſign to ſpin out this Summer, ſince it would be impoſſible to come at him in the Winter-time; that therefore he, M. *Colbert*, had written to M. *de Crequi*, that there was no Way to bring the Elector to a Peace, but by puſhing on his Conqueſts in his Countries with all the Vigour poſſible.

THE main Argument of the Elector's Delay he made to be, that the Inſtructions for M. *Meinders* were not communicated to M. *Blaſpiel* as ſoon as they were diſpatched for *France*; whereas indeed there ſhould have been Orders given him, to Treat upon it here with M. *Colbert*, ſince it was well known M. *Colbert* had a Commiſſion ſent him to that Purpoſe; inſtead of that, it ſeems, M. *Blaſpiel* offered M. *Colbert* a Letter from the Elector; but M. *Colbert* excuſed himſelf from receiving it, in Regard the Elector was not yet in Amity with the King his Maſter.

THIS Day the Prince of *Anhalt*'s Miniſter goes away; the Prince his Maſter is, he ſays, very ſenſible of his Majeſty's Favour to him, in ordering his Intereſts to be ſupported here, as much as might be, by his Majeſty's Mediation; but the whole Buſineſs of *Denmark* being to be transferred hence to *Schoonen*, this Miniſter is like to be ſent to look after it there, there being nothing more here to be done.

I take Leave to incloſe a Memorial that M. *Oxenſtiern* and his Collegue gave in to me laſt Night upon a very untoward Subject. A Merchant of this Town being to pay him a Bill of Exchange of 5000 Crowns, two of the Ambaſſadors principal Creditors got the Money to be arreſted by Decree of the *Provoſt des Echevins* of this Town, in the Merchant's Hands: Upon this Occaſion, other Creditors (who are, it ſeems, not a few) took an Alarm, and have put in for a Share of this Money; pretending further, to have an Arreſt laid upon all that they can find belonging to M. *Oxenſtiern* in this Town: I had no better Way to ſerve him, than preſently to have Recourſe to the *Dutch* Ambaſſadors for their Concurrence, in order to have this Arreſt taken off, and Things as much as may be ſet Right again: The Ambaſſador is ſo much the more to be pitied, that in all the great Imploys he has had, he hath kept his Credit very entire; and tho' this Misfortune hath happened to him becauſe his Supplies from Court do fail, yet had he been advertiſed of this Arreſt before it was laid on, he would have prevented it, and the Noiſe it hath ſince made; but now he thinks the Dignity of the King his Maſter is ſo much engaged, and the States General, under whoſe

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ſafe Conduct he is come hither, concerned to ſee him repair'd in the Point of Honour; beſides that, he would have all Publick Miniſters here engage in the Quarrel.

I incloſe likewiſe the Draught of a Petition I received on *Saturday* from Mr. *Cuſtis*, a Merchant of *Rotterdam*; the Subject Matter of it is, as your Lordſhip will ſee, for their Relief under a Grievance of very great Conſequence to our Trade and Nation: I ſuppoſe it may be a very proper Work for his Majeſty's Envoy Extraordinary, Mr. *Sidney*, to enter upon, as ſoon as he comes over: In the mean time, Mr. *Meredith* is qualified by his Commiſſion to give in Memorials, if your Lordſhip ſhall judge the Thing to preſs hard: Had I been told any Thing of it while I was at the *Hague* in *March* laſt, I would have done my beſt to ſerve the Merchants; what Mr. *Cuſtis* deſires of me, is, as I conceive, improper, in Regard I cannot be upon the Place, to enter into Conferences with ſuch as the States ſhall depute; for a Thing of this Nature cannot be brought to an End without Conferences and Applications, that ſuch a Diſtance will not admit of.

Since the writing of this, M. *Colbert* came on Purpoſe, he ſaid, having been ſollicited by M. *Oxenſtiern*, to deſire my Offices in procuring Reparation in the Inſult abovementioned, (for ſo he termed it) made upon that Ambaſſador. I had deſired M. *Oxenſtiern* to forbear applying himſelf to the Ambaſſadors and Miniſters here, in order to engage them, till he ſaw what the *Dutch* Ambaſſadors and myſelf would be able to do in making up this Matter; but it ſeems he could not ſtay to ſee what the Deliberation of the Magiſtrates of this Day will produce.

Another Thing he told me was, that the King his Maſter looked upon the Liſt that the *Imperialiſts* gave in about a Fortnight ago, of the Places that they pretend *France* ſhould reſtore in the Empire, as the moſt unlikely Way to bring about the Execution of the Treaty; he read me the Letter that the King his Maſter had writ to him, approving of the Anſwer which he, M. *Colbert*, had given upon that Liſt, which I have already given an Account of to your Lordſhip, that *France* would void all the Places that were not to remain to it, either by the Treaty of *Munſter*, or by this of *Nimeguen*, if the Emperor would do the like on his Part; and that the Troops of *France* ſhould be ready to enter into the *French* Territories, or elſe into the Country of their Enemy the *Brandenburgher*, at the ſame Time that the Emperor's Troops ſhould be ready to enter into the Hereditary Countries.

M. *Colbert* ſaid, he would not deſire any Office of mine towards the *Imperialiſts* upon this Point, the Reaſon was, that the King his Maſter, in his Letter, obſerved to him, the Thing would do of itſelf, he having Advices from ſeveral Parts of the Empire, that the *Imperial* Troops were drawing towards *Egra* in *Bohemia*, and that when the Elector's Peace was made, all the preſent Difficulties would be quickly over.

He read me another Clauſe out of the ſame Letter, which begun with theſe Words, — *C'eſt avec peine que je vois*, that the King of *Sweden* hath drawn off the Treaties hence into *Schoonen*, the Moſt Chriſtian King judging, as his Letter expreſſes it, that the removing of the Conferences thither, was not a Way to take off Delays, but to beget them; the Words of the Letter were to that Effect, which, I muſt confeſs, ſurprized me, becauſe the firſt Motion of a Treaty there proceeded from M. *de Feuquieres*.

Other Paſſages there were in the Letter, that reflected a little upon the *Swediſh* Ambaſſadors, for delaying to make up their Treaty with *Holland*; and by the Tenor of the Letter one would gueſs, that the Moſt

Moſt Chriſtian King is not much ſatisfied with the Conduct of *Sweden* in relation to the preſent Negotiations. I am, *&c.*

L. Jenkins.

Nimeguen, 19th June, 1679.

My Lord,

THIS Day, as it happens, I have nothing to add to my laſt, which was of the *16th*, that may give any further Light, as to the State of the Elector of *Brandenburgh*'s Peace, or to the Evacuating of the Empire of thoſe Troops of both Parties, that lie ſo heavy upon it; only the general Vogue is, that the Elector's Peace is made up; yet the Account that M. *Blaſpiel* gives of his Letters, which the Ordinary of this Day brings him from *Paris*, is no more, but that he ſhall within a Day or two receive a Courier from M. *Meinders*, to inform him of all: I hope your Lordſhip hath by this Time directly from *Paris*, a clearer Account than this: The Princeſs of *Orange* is ſo well in Health, as not only to have quite loſt her Ague, but alſo to ſee ſome Part or other of this Country every Day.

This Day her Highneſs was pleaſed to ſee *Nimeguen à l'incognito*, and did me the Honour to light at my Houſe, and out of her infinite Princely Condeſcenſion, to take a poor Dinner here; and was pleaſed to ſee what Strangers do uſually ſee as Rarities, which are not many in this Place; 'tis ſcarce to be imagined what Crowding and Acclamations attended her Highneſs every where; the *Dutch* Ambaſſadors, M. *Beverning* and *Haren*, waited on her Highneſs in all the Places ſhe was pleaſed to viſit; ſo did M. *Beverning*'s Lady; and your Lordſhip will eaſily imagine, that the Burgrave and Magiſtrates of the Town were not wanting in their Attendance.

We have not been able as yet to ſettle the Difference between M. *Oxenſtiern* and the Magiſtrates, that had laid an Arreſt upon the Bill of Exchange; only his Highneſs the Prince of *Orange*, out of his great Foreſight and Generoſity, directed that Arreſt to be taken off, which was done accordingly; but there remains ſtill another Queſtion, which is, touching the Manner and Form of that Excuſe and Recantation, which the *Swediſh* Ambaſſadors do expect from the Magiſtrates. I am, *&c.*

L. Jenkins.

Nimeguen, 23d June, 1679.

My Lord,

SINCE my laſt, which was of the *19th* Current, I have the Favour of one from your Lordſhip to acknowledge.

The Treaty of Commerce between *Sweden* and this State is like to be concluded very ſuddenly, in Regard that between *France* and *Brandenburgh* was finiſhed and ſigned on *Thurſday* laſt at the Court of *France*; for M. *Colbert*, as ſoon as he had Notice that the *Brandenburgh* Peace was ſigned, came ſtrait to me, then went to the *Swediſh* and *Holland* Ambaſſadors, and having communicated the News to us, as alſo that the King his Maſter had given him Leave to return into *France*, as ſoon as he himſelf ſhould think fit, he made it his Deſire to me, and to the other two Embaſſies, that the Peace between *Sweden* and this State might be made

made up and ſigned before he went: What the *Swediſh* Ambaſſadors anſwered to this, I do not know; but the *Dutch* told me their Anſwer was, that there being nothing of very great Moment in Difference between them, but only one Clauſe in the *7th* Article of the Treaty of Commerce, whereby they inſiſted that the Subjects of this State ſhould be Treated with as much Privilege, Immunity, and Favour, as any other Foreign Nation whatſoever; they would be able to procure to themſelves the laſt Reſolution of the States upon this Point before the End of this Week, in Regard the States of *Holland* were to meet within two or three Days.

M. *Colbert* told me upon this Occaſion, he would preſs the *Swedes* all that was poſſible, for I perceive that it is his Judgment they are in the wrong; however, 'tis impoſſible that the ſigning of this Peace ſhould be deferred, it being now the only Thing depending here, and it having been protracted thus long, only in Conſideration that the Elector of *Brandenburgh* might have the better Terms in this Peace.

M. *Colbert*, in the Converſation I had with him, told me of no Particulars of the Peace, but that he expected them with the next Ordinary, only that Orders were ſent to M. *de Crequi*, to ceaſe Hoſtilities; and added, that as he doubted not but that the Peace between *Sweden* and this State would be made before he ſhould leave this Place, ſo he would be glad, he ſaid, to finiſh the Execution of the Peace between the Emperor and the King his Maſter; and to that Effect, deſired me to inſinuate to the *Imperialiſts*, that tho' he was at full Liberty to go from hence when he pleaſed, and that he might make himſelf ready to be gone in three Days; yet he would ſacrifice a whole Weeks Time to attend and ſettle the Execution of their Peace; but longer he could not have Patience to ſtay, being reſolved to go from hence within a Fortnight at furtheſt.

But the *Imperialiſts*, when I ſpoke to them of it, referred themſelves to what they had ſaid at a Conference we had had on *Saturday* Night at the Stadthouſe, wherein they inſiſted to have *Schlechſtat*, one of the Ten Free Towns (ſo called) in *Alſatia*, evacuated of the *French* Garriſon that is in it; which M. *Colbert* could not conſent to, the Right of ſetting Garriſons in theſe Ten Towns being, as he alledged, acquired to the King his Maſter by the Treaty of *Munſter*. To this the *Imperialiſts* replied, that notwithſtanding any Thing that *France* had acquired by the Treaty of *Munſter*, it was agreed in a Treaty made at *Norimberg* in the Year 1650, for the Execution of the Peace of *Munſter*, that *Hagenaw* and *Landau* (two of thoſe Towns) ſhould be emptied of the Garriſons that *France* had in them, therefore there was the ſame Reaſon that by this Treaty for the Execution of the Peace at *Nimeguen*, *Schlechſtat*, and any other of the Ten Towns that have *French* Garriſons in them, ſhould be now evacuated.

But M. *Colbert* would not allow, that that Tteaty of *Norimberg* ſhould be drawn into Conſequence, becauſe it was made at a Time when *France* was in the Height of their Civil Combuſtions; that his King could then deny nothing to the Empire, and eaſily yielded to withdraw thoſe Garriſons, becauſe he had need of them for the Defence of his own Perſon and Kingdom; but that that Act or Conſent to withdraw thoſe Garriſons then, ought not to prejudice the Right that *France* hath to continue the Garriſons in thoſe Towns at this Time, even after this Peace is made and executed.

The *Imperialiſts* inſiſted much, that the Treaty of *Norimberg* was no leſs binding on *France* than that of *Munſter*, both being in a Manner

but

but one and the ſame Peace; and that the Inference was undeniable, that if *Hagenaw* and *Landau* were then evacuated, in Execution of that Peace, *Schlechſtat* ought now to be evacuated in Execution of this Peace; *France* having acquired no other Right or Title over thoſe Towns, than what it was veſted with when *Hagenaw* and *Landau* were evacuated.

THIS Point was bandyed to and fro for about two Hours and half between them, but without coming any Thing nearer the one to the other; M. *Colbert* adhering to his firſt Declaration, that *France* would empty all Places and Countries, that were not of Right to remain to the Moſt Chriſtian King by the Treaty of *Munſter*, or by this of *Nimeguen*, provided that the Emperor did the ſame.

THE *Imperialiſts* having given in a Liſt of the Places that they thought *France* is bound to empty, and having ſpecified the Ten Towns of *Alſatia* in the Liſt, inſiſted to have the Evacuation fixed according to that Liſt; there paſs'd no Heats in this Conference, but it was broken up *ſine die*.

THIS Morning M. *Blaſpiel* was with me, to tell me, that his Letters yeſterday from *Paris*, from M. *Meinders*, did not ſay the Peace was made, but that he had obtained a Ceſſation of Hoſtilities, and that it was either to be made, or their Treating to be broke off, that Day he writ, which was on *Thurſday* laſt; but M. *Colbert* had had a *Poſtſcript*, that the Peace was actually ſigned, which he doubted not of.

HE concluded, the Peace would be but a very ill Peace, and therefore was glad that it was made by another Hand rather than his; but was ſorry, he ſaid, it was not made under his Majeſty's Mediation; that M. *Meinders* had an Article in his Inſtructions, to have a ſpecial Regard in all he did in *France* to his Majeſty's Mediation; and another, that nothing be done to the Prejudice of the King of *Denmark*; what M. *Meinders* hath done in either of theſe Points, he doth not know; but that the Elector will expect a good Account of his Care touching both of them: He thought *France* would inſiſt hard to ſtipulate a Neutrality as to *Sweden* from the Elector, to the end he might not be at Liberty to give any Aid directly or indirectly to *Denmark*; he, M. *Blaſpiel*, does not ſee, he ſays, how M. *Meinders* can conſent to ſuch an Article, conſidering the Treaties that are now in Force between him and the King of *Denmark*; at leaſtwiſe that that King ſhould be acquainted with what paſſes, before M. *Meinders* do conclude.

IN this Converſation, M. *Blaſpiel* was pleaſed to tell me, he was ſorry that M. *Lindenaw* had ſpoken ſome Things lately at Court, which might occaſion his Majeſty's being offended with me; he having, it ſeems, repreſented to his Majeſty, that I had told the *Daniſh* Miniſters here, that his Majeſty would break with *France*, and give Aſſiſtance to *Denmark* and *Brandenburgh* in their War; the Thing ſurprized me exceedingly, it having never entered into my Thoughts, that his Majeſty was in any ſuch Diſpoſition, or that it is his Majeſty's Intereſt to become an Aggreſſor, or to meddle with the War in the *North* at this Time.

M. *Blaſpiel* did me the Favour to own, that he did oftentimes endeavour to diſcover from me, (and that by Concert with M. *Heugh*) whether there were any Hopes for their Maſters out of *England*; that I never gave him any Glimpſe of Hopes, and that M. *Heugh* never told him, (tho' they gave one the other an Account of their Converſation with me) that I had given him any Hopes, either of a War, or of Aſſiſtance out of *England*; and yet he did not ſee how I ſhould come to diſcourſe one Thing to him, M. *Blaſpiel*, and another Thing quite contrary to M. *Heugh*, in a Matter where the Intereſt of *Denmark* and *Brandenburgh* was

was the ſame, and where his Majeſty, if he reſolved to aſſiſt the King of *Denmark*, would not abandon the Elector of *Brandenburgh*.

In good Truth, My Lord, my Anſwer to theſe two Ambaſſadors was always of the ſame Tenor; that your Lordſhip will find it, if you pleaſe, in a Letter of mine of the *9th* of this Month, that his Majeſty's Counſels were altogether for Peace; and when M. *Heugh* made a Flouriſh of 50 Men of War, that the King of *Denmark* would have ready to joyn with his Majeſty; and ſo when M. *Blaſpiel* inſinuated, that the Elector would bear up, if there were any Hopes for him out of *England*; my Anſwer moſt commonly was, that Matters of War, and all Meaſures about it, were Things foreign to my Commiſſion here; and when either of them would needs ſuppoſe that *France* would fall upon *England*, I always declined ſpeaking to any Thing that they told me, that *England* might hope or expect from Alliances Abroad, and only ſaid, that in caſe *France* did attack us, his Majeſty would then have a good Cauſe, and a gracious God, and that he had valiant Subjects, that of what Intereſt and Perſwaſion ſoever they otherwiſe were, would joyn heartily in the Defence of their Country againſt any Foreign Invaſion.

M. *Blaſpiel* was no ſooner gone, but M. *Colbert* told me, that M. *Lindenaw* had been here, and was gone for *Hanover*, tho' under Pretence of going to the Waters of *Pyrmont*, to do what he could to ſtop the General Peace; and for that Conſideration, he had refuſed him his Paſſport; then he told me of himſelf, that M. *Barillon* had writ to him of that which M. *Lindenaw* would have faſtened upon me, that he might thereby have a Ground to ask a further Declaration from his Majeſty. His Obſervation was, that the *Danes* had of late uſed all Means poſſible to bear up the Elector againſt making his Peace; and that their ſuggeſting to the Elector's Miniſters here, and every where elſe, that there were great Hopes out of *England*, was a principal Means they made Uſe of; and as for my meddling in it, he was pleaſed to ſay, he had not in the leaſt obſerved in my Conduct hitherto, any ſuch groſs and ill-grounded Partiality.

What the *Daniſh* Miniſters may have writ hence, I do not know; but I moſt humbly beſeech his Majeſty to believe, that I cannot ſo far have forgot my Duty to his Service, and the Circumſtances of my Function here, as to have talk'd of his Majeſty's going into a War, (a Thing I wiſh from my Soul I may never live to ſee) without having any Ground, much leſs Orders for it; ſince I had no Orders laſt Summer to enter into Communications with the Allies, of his Majeſty's Preparations for *Flanders*, and of his ſending Troops thither, I ever then declined meddling with that Theme, or to bear the Allies in Hand, what *England* was like to do for them, as not conceiving it agreeable to my Figure or Character here: I will therefore hope, his Majeſty will be pleaſed to believe I cannot be ſo abſurd, as to have talk'd of a Rupture between *England* and *France*, or of Aſſiſtance to the War in the *North*, at a Time that I believe nothing of it; but, on the contrary, that all his Majeſty's Counſels are tending to decline Claſhings Abroad, in order the better to compoſe Things at Home. However, it is with the loweſt Submiſſion poſſible that I reſign myſelf to his Majeſty's gracious Pleaſure.

The Difference between M. *Oxenſtiern* and the Magiſtrates, I have had the good Luck at laſt to compaſs. I am, *&c.*

L. Jenkins.

Nimeguen, 26th June, 1679.

My Lord,

In Obedience to what you are pleaſed to direct in your Letter of the 17*th*, (which is the laſt that I have from your Lordſhip) I took Occaſion to ſpeak with the *Swediſh* Ambaſſadors both of them together, and yeſterday I had further Diſcourſe with M. *d'Olivenkrantz* by himſelf, upon the Subject Matter of M. *Wachtmeſter*'s Memorial, and of the Anſwer his Majeſty had ordered to be given to it.

In my Converſation with them both, I ſpoke chiefly to the Uncertainties that his Majeſty muſt needs go upon, if he ſhould ſend a Miniſter to mediate in the Conferences at *Schoonen*, ſhewing them out of the Advices we have here, that the Preliminaries of thoſe Conferences muſt have been put into other Hands, and probably may have been adjuſted before the giving in of that Memorial; beſides, the Treaty of Peace itſelf muſt have needs began, (the 17*th* being the Day appointed) and it may be finiſhed too; conſidering that the Elector of *Brandenburgh* hath been of a good while reſolved to finiſh his, before a Miniſter from *England* could be inſtructed, and make ready for ſuch a Voyage.

Their Anſwer was, that the King of *Sweden* could do no leſs than deſire his Majeſty's Interpoſition, for that he had found himſelf well with it in the Treaties here, and had Reaſon to rely upon his Friendſhip and Affection in all his Concerns; but, on the other Side, he would, they doubted not, acquieſce in thoſe Reaſons his Majeſty had for his not ſending his Miniſters at this Time into *Schoonen*.

To this Effect was their Anſwer: But when M. *d'Olivenkrantz* and I took up the Matter again yeſterday, he was pleaſed to acknowledge, that there was not ſo much Reaſon to give in a Memorial, in the Terms that this is couch'd in; that they had had no Copy of this Memorial, or of the Anſwer, only an Account of what had been asked, and had been refuſed; nor had he taken any Advice about his Memorial with Sir *John Leyenbergh*, from whom they had received a Copy of it, and of the Anſwer which was come to their Hands but yeſterday Morning.

Sir *John Leyenbergh* ſays, the Memorial was clear againſt his Senſe, and ſo it is againſt M. *d'Olivenkrantz*, eſpecially in that Point where a Declaration in Writing, not to oppoſe the Paſſage of the *French* Succours into the *Baltick*, is deſired of his Majeſty; for that ſuch a Declaration, as M. *d'Olivenkrantz* confeſſed, would have been to no Purpoſe, but to anger and vex the Allies, and give them Occaſion to charge his Majeſty with great Partiality; beſides, thoſe Succours are ſo far from being in a Forwardneſs to paſs towards the *Baltick*, that it may be yet a Queſtion, whether there be any ſuch Succours preparing to come that Way. For the 2*d* Point, of ſending into *Schoonen*, he confeſſed his Majeſty had great Reaſon to have Regard to his own Reputation, in determining upon that Affair. His Reflexion upon the whole Memorial was, that it was of the penning of M. *du Croſs*; he was acquainted with his Style, he ſaid; and tho' he writes hither ſometimes to M. *Oxenſtiern*, with ſome Bitterneſs againſt the *French* Miniſters, yet there is Reaſon to believe he hath a great Intimacy with M. *Barillon*, and that this Memorial was drawn up according to his Senſe.

I am not acquainted with M. *du Croſs*'s Stile, but it is an Argument to me that this Memorial is of his drawing up, in Regard there is mention made in it of the Duke of *Gottorp*, whoſe Miniſter he is: I cannot think

think that it would have enter'd into the Head of a *Swediſh* Miniſter, to mention the Duke of *Gottorp* in a Memorial conceived for the reſt of it as this is; and the Mention of him is not very pertinent, but meerly in a Parentheſis, and nothing is ask'd on his Behalf.

I obſerved to M. *d'Olivenkrantz*, there was a clear Deſign of Unkindneſs in this Memorial, otherwiſe ſeveral Things might very well have been ſpared: I told him, it was well known how little all Princes and States do defer to the Inſtances of one another, where they do not at the ſame Time think they find their own Account; but that it was unreaſonable to lay the Cauſe of their Rupture at our Door, for that his Majeſty had quitted the Party, and was got out of the War, long before they came in to it; and certainly his Majeſty's being gone out of the War, and the Reaſons for which he did it, would have been very ſufficient for them to alledge againſt their going into the War at the Time they did; nor is it to be imputed to any Thing we did in the Year 1671, that *Sweden* invaded the Elector of *Brandenburgh* in the Winter 1674; a long Time after that his Majeſty had taken the General Mediation upon him, and was in perfect Neutrality with that Elector, and with all the World. This M. *d'Olivenkrantz* was pleaſed to acknowledge, but thought that this Memorial was conceived, as it is, becauſe that *France* hath an Intereſt that *Sweden* ſhould ſhew itſelf to be diſſatisfied with the Conduct of *England*. He promiſed that he and his Collegue would take Occaſion, in their next Letters, to do ſome good Offices in their Court in this Buſineſs, and make it appear, that M. *Wachtmaſter* had little Reaſon to give in a Memorial in thoſe Terms, and none at all to pretend to be diſſatisfied with the Anſwer that was given him: All this touching the Memorial and M. *du Croſs*, I moſt humbly beſeech your Lordſhip to manage, in Regard M. *d'Olivenkrantz* was pleaſed to open himſelf to me in ſpecial Confidence.

The Occaſion that brought me to the *Dutch* Ambaſſadors on *Tueſday*, and brought M. *d'Olivenkrantz* to me yeſterday, was principally the Difference yet depending between them upon the 7*th* Article of their Commerce; the States General have given Orders to their Ambaſſadors here, to inſiſt finally, that their Subjects be treated in *Sweden*, *tanquam quævis gens extera amiciſſima*; thoſe are the Words they ſtill contend for; the *Swedes* are willing it ſhould be ſo, provided that the additional Duty upon Goods that paſs to and fro the *Zundt*, be taken off and aboliſhed as to their Subjects; for otherwiſe, ſay they, the *Swedes* have not the ſame Privilege with the *Danes* (for inſtance), nor with the *Hollanders*, with whom they pretend, in vertue of this Treaty, an Equality in all Things; a Ship laden with Maſts (for Example) in *Sweden*, and to unlade in *Holland*, has the longer Way, and yet pays an additional Duty becauſe it paſſes the *Zundt*; but a Ship that takes in the ſame Sort of Lading in *Norway*, pays not this Duty, and yet has a much ſhorter Paſſage into *Holland*; this is their Grievance; to which the *Dutch* anſwer, that notwithſtanding this additional Duty, yet the *Swedes* have the ſame Privilege with other Nations, and with their own Subjects; for as a *Dane* pays it not coming out of a Port of *Norway*; no more do they, the *Swedes*, when they Sail out of *Gottenburgh*, or any Place elſe upon the Coaſts of *Pomerania*, the *Elb*, or the *Weſer*; the *Swedes* do plead, that this Duty was taken off by a Treaty of Commerce in 1673; the *Dutch* reply, that this was a Treaty forced from them when this State was at its loweſt Ebb; and for that Reaſon, they have abſolutely refuſed to confirm that Treaty, tho' they do ſeveral others, by this now in Hand.

As the *Dutch* Ambaſſadors are very ſtiff upon this Point, the *Swedes* are ſo too; only the *Dutch* have written again to their Maſters, to repreſent to them the Reaſons that the *Swedes* have given in by word of Mouth, and expect an Anſwer the latter End of this Week.

Upon this Occaſion I obſerved to M. *d'Olivenkrantz*, that the *Dutch* would by this Treaty be put into great Advantages beyond other Nations, and particularly beyond our *Engliſh*; and that his Majeſty might expect, from the Friendſhip of the King of *Sweden*, to have ſuch another Treaty of Commerce eſtabliſhed between the two Kings, in Regard there was none now ſubſiſting; and that I thought it was the Intereſt of the Crown of *Sweden* to accord ſuch another Treaty, otherwiſe the *Dutch* would engroſs all Trade to themſelves, and conſequently order all the Market in *Sweden* as themſelves ſhould pleaſe.

He acknowledged to me, that it was not the Intereſt of *Sweden*, that all the Trade ſhould be in the Hand of one Nation; and that he thought there would be no Difficulty to make with *England* ſuch another Treaty as this of the *Dutch* is; but then, that this was a Thing to be Treated of Part by Part, and that *Sweden* would endeavour to find out its own Account, and to have ſome Recompence in *England*, for thoſe Advantages that *Sweden* might afford to the *Engliſh*; that he was in Expectation every Day of Orders to return into *England*, where he ſhould be ready to enter into Negotiation about our Commerce.

I take Leave to incloſe to your Lordſhip ſeveral Papers, touching the wrangling that M. *Oxenſtiern* hath lately had in this Town, about an Arreſt upon his Letters of Exchange, and indeed (tho' underhand) upon all his Goods; the Reparation he hath from the Town depending upon what hath paſs'd through my Hands, and being to remain as of Record with me. Here goes incloſed likewiſe an Inſtrument that M. *Colbert* put into my Hands ſome Days ago, whereby the King his Maſter declared, that he did comprehend the Duke of *Hanover* in his Treaty with the Empire: This Inſtrument I was deſired to offer to the *Imperial* Ambaſſadors, but they excuſed themſelves from receiving it, ſaying, that that Duke being a Prince of the Empire, and conſequently a Party principal with the Emperor himſelf in the Treaty, could not be included without much Impropriety; all Incluſion or Comprehenſion being intended for Friends and Allies, and not for thoſe that are Parties to the Treaty; but when they ſhould come to execute the Peace, they would give in a Liſt of ſuch as they deſired might be included on the Emperor and the Empire's Part, and then they would name the Electors, Princes, and States of the Empire in general, as comprehended and included, in the Head of their Liſt; and thus the Buſineſs reſts; nor do I hear any more from either Side about the great Point of evacuating the Empire.

The Point of the Elector of *Brandenburgh*'s Peace is not ſo perfect as was expected it ſhould have been, by the Letters that came in laſt Night. M. *Blaſpiel* ſhew'd me his from M. *Meinders*, written on *Sunday*; the Peace was not, he ſaid, then ſigned, (ſome ſmall Matters being then unadjuſted) but was certain, and upon the Point of ſigning; I ſuppoſe he meant the fair Copy, for there was ſomething ſigned, as M. *Pompone* writ to M. *Colbert*, on this Day ſevennight. M. *Blaſpiel* ſays, he hath none of the Articles ſent him till the next; in M. *Meinders* Letter it was, that the Elector parts with *Stetin*, and hath the Country on the other Side the *Oder*, excepting *Dam* and *Golnaw*; but this laſt Place the Elector is to keep in his Hands, till the *Swedes* do pay him 50,000 Crowns; the Elector is now to have all the Toll at *Colbergh*, before he had but half of it; *Weſel* and *Lipſtadt* are to continue in the Hands

Hands of the *French*, till the Peace be not only ratified, but fully executed, by reſtoring *Sweden* into peaceable Poſſeſſion of all the Elector hath taken from it; and the *French* are to continue 1000 Horſe in the Elector's Countries in *Weſtphalia*, till the *Swedes* be put into Poſſeſſion.

I did not hear of any Thing agreed for the eaſing of the Countries, or limiting the Contributions; the Elector is not to aſſiſt the King of *Denmark* directly or indirectly: I cannot call to Mind any Thing elſe that I heard out of M. *Meinders* Letter, but that he wiſh'd this Peace had been made at *Nimeguen*, ('tis ſo ill a one) and that he had had no Hand in it. M. *Blaſpiel* enjoyn'd me great Secrecy in this Matter, he having not communicated with M. *Colbert* upon it as yet, and having refuſed to communicate to any body elſe, as he ſaid, till he do receive a Copy of the Treaty: M. *Pompone* ſent away the Treaty by Expreſs, on *Sunday* Night to *Hamburgh*, and ſo to M. *de Feuquieres* in *Schoonen*: M. *Meinders* ſent his Part to the Elector by the ſame Conveyance as far as *Hamburgh*; the Ratifications are to be exchanged here as formerly, within 15 Days: M. *Blaſpiel* is much mortified at the Treaty, but not ſorry that he hath had no Hand in it: He did not tell me what the Sum of Money is that *France* gives, but believes 'tis no more than what M. *Colbert* was enabled to agree to, which was 300,000 Crowns. M. *Blaſpiel* thinks, that if the Peace had been left to M. *Colbert* and him, they would have ordered it better, eſpecially in Eaſe of the *Brandenburgh* Subjects. I am, *&c.*

L. Jenkins.

Nimeguen, 30th June, 1679.

MY LORD,

SINCE my laſt, which was of the *26th*, I have none from your Lordſhip to acknowledge, our *Engliſh* Letters of *Tueſday* being not yet come to Hand.

LAST Night M. *Heugh* and *Blaſpiel* did favour me ſeverally with a Communication of the Treaty of *Brandenburgh*, a Copy whereof goes herewith incloſed. Your Lordſhip will find the main Points in it, as in my laſt; I mean, that *Sweden* is to quit to the Elector all on the further Side of the *Oder*, *Dam* and *Golnaw* excepted; this laſt to remain as a Mortgage in the Elector's Hands, till *Sweden* do pay him 50,000 Crowns. *Sweden* is to quit likewiſe the Moiety of the Toll it had on the Coaſts, and in the Ports of the Electoral *Pomerania*; *Lipſtadt* and *Weſel* are to remain in the Hands of the *French*, and 1000 *French* Horſe are to lie in the Elector's Countries, till *Sweden* be reſtored. The Moſt Chriſtian King is Guarand that *Sweden* ſhall execute this Treaty, which he will ratify within one Month, or ſooner; the King of *Sweden* hath three Months to do it in, but he may, if he pleaſe, do it ſooner; and the Elector is to continue in Poſſeſſion of all he hath got in *Pomerania*, till *Sweden* do ratifie.

THERE are two ſeparate Articles, the one, that *France* ſhall pay the Elector 300,000 Crowns in two Years; the other, that whereas the Dukes of *Lunenburgh* had given their Guaranty to the Dukes of *Mecklenburgh*, and ſome other Neighbour Princes and States, that they ſhould not be bound to ſubmit to Winter-Quarters, and other Aſſignations that the Emperor had given to the King of *Denmark* and the Elector of *Brandenburgh* upon thoſe Princes and Cities; and whereas the Moſt Chriſtian King, in the Treaty lately made at *Zell*, had taken upon himſelf to make

make good the Guaranty that the Houſe of *Lunenburgh* had ſo given; now he will make an amicable End between the Elector and thoſe Princes and Cities, as to thoſe Pretenſions the Elector hath of Quarters and Aſſignations upon them: This is the Subſtance of what ſeems to be moſt eſſential in this Treaty.

Both M. *Heugh* and M. *Blaſpiel* told me, that the *Swediſh* Miniſters now at the Court of *France*, had been denied a Copy of this Treaty; and that M. *Colbert* had had no Copy ſent him hither by yeſterday's Ordinary, that he might not be obliged to have any Communication upon it with the *Swediſh* Ambaſſadors here: What that ſhould mean, I do not know; but it ſeems to me probable, that *Sweden* will have a great Difficulty to ratify this Treaty; I will not ſay ſo much for the Value of the Things they are made to part with, as for the Form and Stile wherein the Treaty is conceived; it being the ſame in a Manner (as M. *Heugh* and *Blaſpiel* tell me) with that of the Treaty of *Zell*, which the *Swedes* have not yet been able to bring themſelves to ratifie; labouring, as they do, to bring that Buſineſs about by a new Treaty; not that I have heard the *Swediſh* Ambaſſadors ſpeak much againſt the Ceſſions therein made in Favour of the Houſe of *Lunenburgh*, but againſt the Manner their King is made to enter into the Treaty.

The Moiety of the Toll that *Sweden* is to part with, amounts but to 5000 Crowns a Year, as M. *Blaſpiel* values it: The Liſt of Ground upon the *Oder*-Side, that *Sweden* is to quit, is conſiderable in the Extent; 'tis 25 Leagues in length, and in ſome Places 4, in other 3, and 2 Leagues in breadth; but of the Value, I do not hear any Eſtimate made by the Miniſters on either Side.

M. *Blaſpiel* told me, the Ceſſation of Hoſtilities is publiſhed in the *French* and Electoral Armies; and that M. *Spaen* had already viſited M. *Crequi* in his Quarters; but that he doubted, the *French* were already in their March towards the King of *Denmark*'s Countries of *Oldenburgh* and *Delmenhorſt*, and would be Maſters of them without Oppoſition.

M. *Heugh* believes it more probably, that the Peace of *Denmark* will be made by M. *Meyercroon* at the Court of *France*, rather than in *Schoonen*; from which Aſſembly, he doth not, he ſays, promiſe himſelf much Succeſs, becauſe of the preſent Averſion and Heat that his Nation and the *Swedes* are in each againſt other.

The *Imperial* Ambaſſadors were with me on *Friday*, to deſire my Offices, upon the Liſt that goes herewith incloſed, of ſuch of the Emperor's Allies, that deſire to be comprehended in the Treaty of the Empire. M. *Colbert* excuſed himſelf from receiving it, ſince the King his Maſter would give no Liſt on his Side, by Reaſon of the Embarraſs that would be about the Rank and Places of ſeveral Princes and States in ſuch a Liſt: He alledged the Example of the Treaty of *Munſter*, in which there is no ſuch Liſt to be found; and tho' there be a Liſt of Allies in that of *Oſnaburgh*, that of *Munſter*, whereto the King his Maſter was a Party, was the Precedent he was to go by, and not that of *Oſnaburgh*, where *Sweden*, and not *France*, was the Party contracting with the Emperor.

That which he offered to do was, that the King his Maſter ſhould give ſeparate Acts or Inſtruments, (ſuch as I ſent your Lordſhip by the laſt, for comprehending the Duke of *Hanover*) whereby each Prince and State, that ſhould deſire to be included on the Part of *France*, ſhould be declared to be ſo; and that Inſtrument to be afterwards inſinuated to the Emperor's Ambaſſador here, or to his Miniſters at *Vienna*; that thus all Allies might be ſatisfied, and yet the Embarraſs avoided.

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I am apt to think, the *Imperialiſts* will give into this Way; however, his Majeſty does not enter at all into this Queſtion, for he is included by both Parties, as Mediator, in an Article by himſelf.

ANOTHER Thing the *Imperial* Ambaſſadors gave me in Commiſſion towards M. *Colbert* was, to deſire his Anſwer upon a Liſt they had given in by my Hands about a Month ago, of ſeveral Places that *France* was to evacuate and reſtore; among which are named, the free Towns of *Alſatia*, and other Places and *Fiefs*, moving from the three Biſhopricks of *Metz*, *Toul*, and *Verdun*; in all which, *France* pretends to have acquired ſuch a Right by the Treaty of *Munſter*, that the *Imperialiſts* have no Colour (as M. *Colbert* ſays) to ſummon the *French* to empty or reſtore them.

M. *Colbert*'s Anſwer was, that he adhered to the Anſwer he had formerly given; and that he was not inſtructed to give any other, deſiring the *Imperialiſts* might be ſummoned to name their Days on which the Emperor's Troops ſhould enter into the Hereditary Countries; which being once fixt, he would undertake the *French* Troops ſhould enter into the Territories of *France*, and all Places and Countries ſhould be emptied of them, excepting thoſe Places that are to remain to the Moſt Chriſtian King, either by the Treaty of *Munſter*, or by this of *Nimeguen*.

M. *Colbert* told me, he kept himſelf within the Bounds of this general Anſwer, becauſe he ſaw the *Imperialiſts* lay at a Catch of ſomething that might make a Noiſe in the Empire, as the Queſtion about ſeveral Places the *Imperialiſts* had named in their Liſt would do; that in the Interim, his Offer was full and clear as to the evacuating of the Peace on the Part of *France*; that he had written to the King his Maſter, that it was not to be expected the *Imperialiſts* would ever come to any Iſſue, as to the main Points of evacuating the Places, that that muſt be left to the Commanders in Chief of each Side; to which he hath yeſterday (as M. *Heugh* and *Blaſpiel* tell me out of his own Mouth) received the Anſwer of his King, that he ſhall not need to attend this Buſineſs of the Execution of the Peace; that he may return into *France*; but that the *French* Troops had Orders to quarter in the Empire, till the *Imperial* Troops were marched into the Hereditary Countries.

BUT that in which the *Imperial* Ambaſſadors had the moſt earneſt Deſire to have an Anſwer from M. *Colbert* was, whether the *French* would void the 8 Poſts they have reſerved to themſelves in *Cologn* and *Juliers*, now the Peace of *Brandenburgh* is made, as ſoon as the Ratifications of it are exchanged, for ſo the Treaty of the Empire bears; to this M. *Colbert* anſwered no more, but that he did not know, when that Exchange was to be made; that he had no Inſtruction in the Point; but that he was ſure his King would execute his Treaty *de bonne foy*.

I know not whether thoſe 8 Points will be voided till the Peace of *Brandenburgh* be executed, as well as ratified, and till the *Imperial* Troops have left the Empire. It is plain, that *Lipſtadt* and *Weſel* were, by the Treaty of *Santen*, to be reſtored, as ſoon as the Ratifications of the Peace of *Brandenburgh* ſhould be exchanged; they are not by the Peace of the Elector of *Brandenburgh*, now made at St. *Germains*, to be reſtored till the ſame be executed.

JUST as I am cloſing, M. *Heugh* calls upon me, and tells me, the firſt Days of the Conferences at *Schoonen* were ſpent in diſputing of a Preliminary. The *Danes*, it ſeems, came upon the Place with the Title only of *Comiſſaires*, *Plenipotentiaires*; having notified their Arrival to M. *de Feuquieres*, he ſent them a Complement, but took no Hour, as they expect-

expected he ſhould have done, being firſt come upon the Place, in Order to give them the firſt Viſit; for an Expedient, the *Danes* were forced to procure for themſelves Powers with the Quality of *Ambaſſadors*, and upon that Condition the firſt Viſit was given them.

As for the Demands of the *Swedes*, he ſays, they are higher than ever they were here at *Nimeguen*, or in *France*; therefore that his King hath, by the Ordinary of this Day, ſent him Orders to deſire M. *Colbert* to write to M. *de Crequi*, not to puſh ſo hard towards *Oldenburgh* and *Delmenhorſt*, for that he is making all the Haſt he can towards his Peace, and to give a Paſſport in *blanc*, for a Miniſter that the King of *Denmark* is deſirous to ſend with all Speed to joyn M. *Meyercroon* in *France*; M. *Heugh* does think himſelf will be the Man: So that your Lordſhip ſees this Congreſs is very near breaking up of itſelf, M. *Colbert* having, as he told M. *Heugh* juſt now, refuſed the Nuncio's Auditor, (who would have ſet up ſome Negotiation between him and the *Imperialiſts* again on Foot, touching the Execution of the Treaty of the Empire) telling him, he would not write to Court, nor entangle himſelf any further with the *Imperialiſts* upon that Subject.

M. *Colbert* hath received an Expreſs, with the Ratifications of the Treaty of *Brandenburgh*; and M. *Blaſpiel* ſends an Expreſs this Day for *Berlin*, to haſten the Ratifications on that Side. I am, *&c.*

L. Jenkins.

Nimeguen, 3 d July, 1679.

MY LORD,

SINCE my laſt, which was of the 30*th* paſt, we have nothing here that is worth your Notice.

M. *d'Olivenkrantz* did on *Tueſday* ſpeak himſelf much diſſatisfied, that M. *Colbert* had not given him any Communication of the Treaty of *Brandenburgh*; M. *Bielk*, the *Swediſh* Miniſter at *Paris*, hath, he ſaith, the ſame Diſſatisfaction from the Miniſters there, having been put off by M. *Pompone*, that he could not ſpeak with him in a Day or two after the Treaty was ſigned; that Ambaſſador offered, that if the pawning of *Golnaw* to the Elector for 50,000 Crowns, might be left out of the Treaty, he would anſwer that Sum upon his own private Account. M. *Bielk* is ſaid to give out confidently at *Paris*, that *Sweden* will never ratifie that Treaty. The Letter that his Majeſty was pleaſed to write to the Duke of *Newburgh*, I delivered yeſterday into the Hands of M. *Caſpars*, one of the Duke's Envoys in this Place; he charged himſelf to ſend it carefully by the firſt Conveyance to the Duke his Maſter, who is like to continue his Reſidence at *Newburgh*, leaving the Dutchies of *Juliers* and *Bergueland* to the Prince his Eldeſt Son. It was the Obſervation of that Envoy, that that Match of the Prince with the Arch-Dutcheſs, is more unpardonable in the Court of *France*, than the Marriage of the Empreſs; and for that Reaſon, their Country is ſtill loaded with *French* Troops and Exactions, when all other Countries that are comprized in the Peace of the Empire, as the Duke of *Newburgh*'s Eſtates are, have Eaſe given them; the Miniſter does extreamly blame the *Imperialiſts* for not doing their Part in evacuating the Empire. I had a Conference this Morning with M. *Colbert* upon that Subject; he is poſitive in his former Anſwer, and ſays, he hath writ to Court, that it would be but Reaſon to demand of the *Imperialiſts*, a Renunciation of all their Pretenſions over the Towns in *Alſatia*, and the other Places

that

that they now bring into Queſtion, before the *French* Troops be withdrawn out of the Empire. But he hopes, he ſays, to exchange the Ratifications with the Ambaſſador of *Brandenburgh*, and then to be gone for *France*, leaving the *Imperialiſts* as now they are, without doing any Thing in order to execute the Peace.

BLESSED be our good GOD, who hath given that Succeſs, which the Ordinary of this Day acquaints us with, to his Majeſty's Arms in *Scotland*; it is certainly a moſt ſeaſonable Mercy; the *Dutch* Ambaſſadors, as ſoon as they had the News, did congratulate with me very much upon it. I am, *&c.*

L. Jenkins.

Nimeguen, 7th July, 1679.

MY LORD,

MY laſt was of the 3*d* Inſtant: On *Friday* the *Daniſh* Ambaſſador M. *Heugh*, upon the receiving of Letters from the King his Maſter, forthwith to repair to him, went hence in all Haſt: It is, as he told me, (for he was pleaſed to bid me Adieu himſelf, tho' he did it to the *Imperialiſts* and other Ambaſſadors by a Gentleman after he was gone) to receive Inſtructions for the Court of *France*, whither he is to go as ſoon as he returns hither back again from *Holſtein*, which he made Account may be this Day ſevennight at furtheſt. In the mean time, his Family here pack up, and prepare for that Journey. The *French*, he told me, had ſummoned the Countries of *Oldenburgh* and *Delmenhorſt*, demanding of them moſt exceſſive Contributions; the Letters that come in ſince adviſe, that ſome Parties of the *French* are already in Poſſeſſion of the Country; neither he nor M. *Petcum* had any further Account to give, as they told me, of the Conferences in *Schoonen*, than what I gave your Lordſhip an Account of in my laſt ſave one.

M. *Blaſpiel* acquainted me laſt Night, that the Ratifications were come from *Berlin*, but it happens that they are only for the Treaty in general, and that there are no Ratifications come for the two ſeparate Articles. This M. *Colbert* looks upon as a Diſappointment, for he intended to be gone, and his Domeſticks do ſtill give out he will be gone on *Thurſday* next. I have not yet ſpoke with him about it, but M. *Blaſpiel* tells me, he will not be gone till the Ratifications of the ſeparate Articles do come to Hand; which, 'tis hoped, they may by the Ordinary of this Day: However, M. *Blaſpiel*, when he ſaw that M. *Colbert* ſtuck upon it, and would not exchange till all was compleat, did diſpatch an Expreſs yeſterday to the Elector his Maſter, forthwith to ſend away the Ratifications that are yet behind, inaſmuch as the diſcharging of his Countries of the *French* Troops depends upon it; it being not to be hoped that M. *Crequi* will ſtir, till he be certified hence that the Ratifications are exchanged; nor will M. *Colbert* do it, till the Ratifications of the ſeparate Articles be come, which cannot be in leſs than 10 Days Time, if the Elector's Council do not think of it before the Expreſs that was diſpatch'd yeſterday do arrive, and advertiſe them of it.

THE *French*, as M. *Blaſpiel* and others have told me, have poſſeſſed themſelves of *Dorthmonde*, a little Free *Imperial* Town in *Weſtphalia*, in the middle of the County of *Mark*; when the *French* paſs'd by that Way towards *Minden*, they were ſo fair, as not only to forbid all Ravages and Quarterings upon that Town and its Dependencies, but alſo to have the Bounds and Limits of it ſet out, and made notorious, by

Poſts erected, to the End that none might preſume to paſs beyond thoſe Marks, and to diſturb the Inhabitants, which makes the poſſeſſing of it now, to be more than ordinary Surprize to the whole Country.

M. *Blaſpiel* is adviſed by the laſt Letters from *Ratisbone*, that the *Imperial* Party there are moving to have the Emperor's Troops continue a while longer in the Empire; if they do, 'tis moſt certain the *French* will not ſtir out of it; and 'tis probable, that it is in that View that M. *Colbert* hath the King his Maſter's Permiſſion again repeated to him, that he may return to *France* as ſoon as he pleaſeth, without expecting any longer the *Imperial* Ambaſſadors to come to any Iſſue about evacuating of the Empire.

And yet the *Imperialiſts* were with me laſt Night very late, and diſcourſed to me afreſh the great Readineſs they were in to name a Day, and it ſhould be the 10*th* of *Auguſt*, (if M. *Colbert* ſo pleaſed) by which the Emperor's Troops ſhould be actually entering into the Hereditary Countries, provided the *French* Troops did enter at the ſame Time within the Territories of *France*; this, they ſaid, may be adjuſted in a Day or two, and that before M. *Colbert* went away; they did not deſire me to paſs any Office upon this Diſcourſe of theirs, but told me, they would ſend me a Project to this Effect in Writing, which, according to ſome Advices they had, M. *Colbert* will not fail to give in to.

I do not deny but this may be, yet the laſt Time I had Conference with M. *Colbert* upon this Subject, I found him very unwilling to enter into any further Negotiations with the *Imperialiſts*, he ſuppoſing they would but trifle with him; and the Letters he received yeſterday, it ſeems, do confirm to him the Leave he hath to break off here, without further attending on that Buſineſs.

On *Saturday* the Baron *de Platen*, Envoy and Plenipotentiary here from the Prince of *Oſnaburgh*, was to take his Leave of me; I perceive he is not ſatisfied with the Miniſters at *Vienna*, who have not furthered his Maſter's Pretenſions, as he hoped they might, and would have done there, in order to be brought to Effect here, or at leaſtwiſe in the Dyet at *Ratisbon*; and he ſpoke of it as a Thing that would give the whole Houſe of *Lunenburgh* Occaſion to ſhew their Reſentments, whenever the Houſe of *Auſtria* ſhould have need of them. He aſſured me, the Prince his Maſter has a very deep Senſe of his Majeſty's Favour and Affection to him.

Just as I am cloſing, and the Poſt going away, M. *Colbert* comes and reads over to me the King his Maſter's Letter to him, that he received yeſterday, giving him not only Leave, but Orders to withdraw hence, and leave the Execution of the Peace of the Empire to the Generals of the Armies on both Sides. He tells me, that having let the *Imperial* Ambaſſadors yeſterday know this, they had reſolved to give in immediately to M. *Colbert*'s own Terms, as to the Evacuation of the Empire of the Troops on both Sides. He told me further, that having found the *Imperialiſts* would come to his Terms, and having declared to them the Agreement muſt be fixed this Day, or not at all; he was come to acquaint me, that he had conſented the Agreement ſhould be ſigned by each Embaſſy at their own Houſes, without the Solemnity of coming to a Meeting, whereas I ſhould aſſiſt at the Stadthouſe; becauſe if they did, he found the *Imperialiſts* would make the ſame Difficulty of not allowing me the ſame Column to ſign, in caſe I ſhould inſiſt upon it, and demand to ſign with them; therefore that he, M. *Colbert*, was come to ask me, whether I would not approve of the Expedient, declaring

ing himſelf, for his Part, very deſirous that his Majeſty might have all Satisfaction in the Point of the firſt Column.

To this my Anſwer was, that I would not enter into any Expedient in this Caſe; but that ſince it was ſo reſolved between themſelves, all I had to ſay was, to deſire to know of him, what Account I ſhould give of this to the King my Maſter; telling him, that he beſt knew upon what Ground the Pretenſions that his Majeſty had for a firſt Column to his Miniſters were founded; 1. Upon a Concert with the Moſt Chriſtian King, to give in all Things the *Place of Honour* to the Mediators at *Cologn*, and afterwards upon his (M. *Colbert*'s) own Inſtances, and thoſe of his Collegues, as well as upon his Majeſty's Directions; that my Collegues and I had conſtantly ſtood upon it, to have the firſt Viſits and the *Place of Honour* upon all Occaſions in this Congreſs, before the *Imperialiſts*; and conſequently, to have the firſt Column at the ſigning of their Treaty; and therefore I was to give an Account of every Step that was made of this kind to his Majeſty. He told me, he would have been very glad if the *Imperialiſts* had, at the ſigning of their Treaty, given that Satisfaction to his Majeſty, which he and his Collegues were ready to give; but that here, he ſaid, the Caſe was not the ſame, this being not a Treaty, but an Act, or a Declaration, directing how the Treaty was to be executed; and to ſhew that it was no Treaty, and conſequently not an Inſtrument in which a Mediator might pretend a firſt Place or Column, that therefore he had declared to the *Imperialiſts*, that they were to expect no Ratifications from the King his Maſter upon this Act; when he ſaid this, he acknowledged, with a great many Expreſſions, his Majeſty's Care and Zeal, and the Pains of his Miniſters in this Aſſembly.

Upon this I thought it beneath the Dignity of that Character I have the Honour to ſerve in, to offer to intervene at the paſſing of this Act, ſince my Collegues and myſelf did not intervene at the more ſolemn one of ſigning the Treaty itſelf. I am, *&c.*

L. Jenkins.

Nimeguen, 10th July, 1679.

My Lord,

In the cloſe of my laſt, which was of the *7th*, (ſince which I have not the Favour of any from your Lordſhip) I gave you an Account of what M. *Colbert* told me had been agreed between the *Imperial* Ambaſſadors and himſelf, touching an Act to be ſigned by them, at their ſeveral Houſes, for the evacuating of the Empire, and other Points relating to the Execution of the Treaty; I acquainted your Lordſhip alſo with the Arguments that M. *Colbert* had uſed to me, to ſhew that that Act or Agreement did not amount to a Treaty, and conſequently that it was not a Thing wherein I was to ſign in the firſt Column: I heard no more ſince of that Agreement, but that it was ſigned ſome time on *Monday* Night; only the Secretary of the *Imperial* Embaſſy came to me that Evening, and told me, the Ambaſſadors had ſent me the *Formulary* for the executing of the Treaty between the Empire and *France*; I told him, that having had no Hand in the making it up, I deſired to be excuſed from taking Part of ſuch kind of Communications, that were offered me after that Agreement was made; and ſaying no more, I diſmiſſed him.

THE Reaſon why I did this was, that having compared with myſelf what the *Imperialiſts* had ſaid to me on *Sunday* Night, with what M. *Colbert* had ſaid to me likewiſe the next Day, concerning this Agreement; I perceived this Agreement had been made before they, the *Imperialiſts*, ſpoke to me of it on *Sunday* Night; and that the Diſcourſe they held with me then, as if they ſhould have need of my Offices to perfect the Act, and the Agreement between them and M. *Colbert*, was only to ſalve Appearances; but that the Intention was, to decline the making Uſe of my Offices at the Stadthouſe, and conſequently to avoid claſhing with me about the firſt Column. I muſt confeſs, I look upon this explanatory Act, or Agreement, to be of a Nature ſo different from the Treaty itſelf, that had we met in the Stadthouſe to finiſh it, I ſhould not (as I ſtand now informed) have deſired to ſign it, ſince my Collegues and I had not ſigned the main Treaty: However, ſince there was no Meeting at the Stadthouſe, and the Thing never came into Queſtion, I thought it ſafeſt for me to refuſe the Communication which the *Imperialiſts* offered to faſten upon me, to the End that they might have no Colour to ſay I acquieſced in their Expedient, which was, to ſign at their ſeveral Houſes, and not come at all to the Stadthouſe.

THIS Forenoon M. *Colbert* came to my Houſe, and after a Preface very full of Reſpect to his Majeſty, for his infinite Care and Zeal in bringing the General Peace about by his glorious Mediation, (ſo he expreſſed it) and concluding with a favourable Mention of the Pains taken by me, as his Majeſty's Miniſter here, he took out two little Caſes, wherein he ſaid were the Picture of his King, and opening them, each of them appeared a very rich *Jewel of Diamonds, Roſe and Crown-wiſe*, telling me, he had it in Charge from the King his Maſter, to conſign the one into my Hands for Sir *W. Temple*, his Majeſty's Ambaſſador now abſent; and to deliver me the other for myſelf, as a Mark of the King his Maſter's Eſteem for me, as he was pleaſed to expreſs it.

MY Anſwer was full of Reſpect to his Moſt Chriſtian Majeſty, and of the Acknowledgments that were due to his deſcending ſo low as to think of me; that I looked upon the Preſent as an infinite Honour intended me; but that I deſired to be excuſed from receiving it, contenting myſelf with the Honour of being thought worthy of it by ſo great a King. M. *Colbert* replied upon me with all Civility; and I defended myſelf from receiving his Preſent the beſt I was able. When he ſaw I was in earneſt, he uſed many Arguments, particularly the common Uſage of all Kings, moſt eſpecially of the King our Maſter, to give Preſents to Ambaſſadors; the Practice in all other Treaties of a General Peace as this is, and the Example of the Pope's Nuncio here, who, tho' a Churchman of great Rank, had accepted the King his Maſter's Preſent. To this I anſwered as well as I could, expreſſing a Reſpect to all thoſe Uſages; and that I was far from preſuming to conclude that I was in the Right, becauſe I had ſome little Scruples of my own, that I did not know how otherwiſe to ſatisfie, but by with-holding my Hands from ſo great a Preſent, which I had no Pretence to deſerve; then he told me, that certainly the King his Maſter would be greatly offended with the Refuſal I made; ſtill I excuſed myſelf, by repreſenting to him, I was too low an Object for the Diſpleaſure of ſo great a King. When he ſaw I would not take the Jewel, he told me, it was a very great Mortification to him in particular, to ſee his Maſter's Preſent refuſed; that he would write to M. *Barillon*, to complain of me; and that he doubted not but that upon his Motion, his Majeſty would be pleaſed to lay his ſtrict Command upon me to receive the Preſent. To this I anſwered, that I

ſhould

ſhould have a perfect Obedience for his Majeſty in all Things, but that I hoped his Majeſty, who beſt knew how little worthy I was of ſo great an Honour, would judge it Honour great enough for me, that I had ſuch a Preſent offered me, without my preſuming to take it. At laſt he put up the Caſe that was ſuperſcrib'd to me, and ſaid, he would ſend it to M. *d'Avaux* at the *Hague*, to remain in his Hands, (becauſe he muſt be gone from hence before an Anſwer from M. *Barillon* could come) to the End it may be there ready, when his Majeſty's Injunction ſhould be laid upon me to receive it.

This being over, he asked me, whether I would ſuffer myſelf to be charged with the Preſent that his Maſter had deſigned for Sir *W. Temple*, and had ordered him to put into my Hands. I deſired he would be pleaſed to ſend that likewiſe to M. *d'Avaux*, rather than charge me with it; the Journey I was to carry it in, being not without Riſque: He ſaid, he would not charge himſelf with it any further; adding, his Orders were, to conſign it and leave it in my Hands; and as he thought I could not take upon me to give any Anſwer for Sir *W. Temple* upon ſuch an Offer; ſo he was confident, he ſaid, I would not refuſe to charge myſelf in carrying this Preſent (which was addreſſed in theſe Words, *Pour Monſieur* Temple) ſo far, ſince the Moſt Chriſtian King had ordered it to be put into my Hands. When I ſaw he was reſolved to leave me this Preſent, to be delivered to Sir *W. Temple*, I told him I would acquaint Sir *W. Temple* by this Night's Poſt, with what he had put into my Hands for his Uſe; and would give him an Account of Sir *W. Temple*'s Anſwer, whether he, M. *Colbert*, were here or at *Paris*. Thus this Converſation paſs'd between M. *Colbert* and myſelf, he going away very much diſſatisfied, and telling me plainly enough, he would not ſee me, nor receive my Adieu upon his going away.

Upon the whole Matter, my moſt humble Petition to his Majeſty is, that notwithſtanding any Thing that M. *Barillon* ſhall ſay, he would be pleaſed not to lay his Commands upon me to receive this Preſent, which (it ſeems) is to be put into M. *d'Avaux*'s Hands. I humbly beg your Lordſhip to uſe all the Interceſſion poſſible towards his Majeſty to that Effect.

As I did not ſay any Thing to M. *Colbert*, ſo I will not preſume to alledge any Thing to your Lordſhip againſt the general Practice: I will only take Leave to ſay, that whatever hath been allowed to Ambaſſadors in the Matter of receiving Preſents, at the Courts where they had reſided, my Caſe in this Place is far diſtant; my Inſtructions being to carry myſelf with a perfect Impartiality towards all Sides, which renders me as uncapable of receiving Preſents from either Party, as a Judge, or an Arbitrator, for giving a juſt Sentence. Another Thing there is, that I moſt humbly deſire may be fully repreſented to his Majeſty, it is, that there hath not, in my poor Opinion, that Reſpect and Deference been paid to his Majeſty's Mediation, as was due to it, and that his Figure in this Aſſembly might moſt juſtly challenge. I will not charge the Miniſters of *France*, nor thoſe of any other Nation, further at this Time, than to obſerve to your Lordſhip, that the Peace of *Holland*, and that of *Spain*, hath been made without the Intervention of his Majeſty's Ambaſſadors here; that tho' the Peace of the Empire was made under his Majeſty's Mediation, yet the firſt Column at the ſigning was refuſed to his Ambaſſadors; that the Peace of the *North* is not made here, but in *France*; that his Majeſty hath interpoſed many Offices on that Side, and directed the ſame to be done in this Place for the Prince Elector *Palatine*, the Dukes of *Newburgh*, *Lorain*, and *Deuxponts*, and many more, in Caſes

Caſes of great Juſtice and Equity, but without the leaſt Succeſs; theſe Things thus paſſed, were Occaſions of a very deep and frequent Mortification to me: And if it be true, (as I take it to be undoubted) that when Ambaſſadors do excuſe themſelves from receiving Preſents, becauſe of ſome Diſſatisfaction they meet with in the Courts where the Preſents are offered them, I hope his Majeſty will diſpenſe with me, and not enjoin me to take any Preſent from the *French* Ambaſſadors, or any other in this Place; for it is my humble Opinion, that there hath not been Right done to his Majeſty in his Figure of Mediator; and that I cannot receive any Preſent, but my ſo doing will imply, that his Majeſty is ſatisfied with the Regard had to his Mediation here; but that his Majeſty is not ſo ſatisfied, appears by ſeveral Occaſions he hath taken to declare, that he hath had ſeveral Cauſes of juſt Reſentment given him, but that he had ſacrificed them all to his Zeal for the Peace of *Chriſtendom*. So that I moſt humbly beſeech your Lordſhip to intercede for me, that I may not be obliged, by any Order or Command from his Majeſty, to receive this Preſent, but that I be left to my own Liberty; yet ſo, that what I do, may not in the leaſt reſtrain my Collegues in their Liberty to do otherwiſe: I have ſerved here much longer than they have done, and therefore have greater Obligations upon me to this Strictneſs; nor ſhould I deſire this, but that I think it moſt ſuitable to the Dignity of the Character I have the Honour to ſerve in: At leaſt, I hope that my refuſing this Preſent cannot be in any wiſe to his Majeſty's Diſſervice. I am, *&c.*

L. Jenkins.

Nimeguen, 14th July, 1679.

My Lord,

THE Ratifications of two ſeparate Articles from the Court of *Berlin*, being at laſt come to Hand, thoſe, as well as that for the main Treaty, were exchanged between M. *Colbert* and M. *Blaſpiel*, on *Saturday* Morning; this was no ſooner done, but M. *Blaſpiel* came and enter'd his Proteſtation with me, (that is, left one in Writing upon my Table, deſiring it might remain among the Acts of Mediation) whereby he declares, that as to one of the ſeparate Articles, the Elector his Maſter did accept of the Offices therein ſtipulated of the Moſt Chriſtian King, but did not intend, by the Mention therein made of a Treaty of the 5 *th* of *February* laſt between *France* and the Dukes of *Lunenburgh Zell*, to approve or acquieſce in the Particulars of that Treaty, (as there are ſeveral Things) contrary to the Right and Intereſts of the Emperor and Empire, of the King of *Denmark*, and of the Elector himſelf.

M. *Blaſpiel* took this Occaſion to tell me, that it is taken extreamly amiſs by the Elector in M. *Meinders*, that he had not taken Care to have an expreſs Mention made, with due Reſpect, of his Majeſty's Mediation, in the Preface to the Treaty he made with M. *Pompone*; but that M. *Meinders* Excuſe was, that he durſt not ſo much as propoſe a Variation in any Thing from the Project that M. *Pompone* had laid before him, which did not eſſentially concern the Intereſts of the Elector.

Besides this which relates to his Majeſty in the Preface, there are ſeveral other Overſights that are, ſays he, charged upon M. *Meinders*, in the Treaty itſelf, particularly in the 3 *d* and 13 *th* Articles, as well as in the ſeparate ones touching the *Zell* Treaty, and the Sum of Money to be paid by *France*. I owe that Teſtimony to M. *Blaſpiel*, that he hath at

at this and ſeveral other Times, expreſſed a great Regret, that the Elector his Maſter's Treaty hath not been made here under his Majeſty's Mediation, knowing, he ſays, very well, that his Majeſty had been pleaſed to command me back again from the *Hague* hither, principally, if not ſolely, to attend the carrying on of the Elector's Treaty; which his Majeſty expected ſhould have come on and be finiſhed in this Place.

THESE Ratifications being thus exchanged, M. *Colbert* made no long Stay here; for he left this Place laſt Night about Midnight, intending to take a Turn into *Holland*, and then to take the Way of *Bruſſels* for *France*. I take Leave to ſend your Lordſhip a Copy of M. *Blaſpiel's* Proteſtation, and alſo the Acts whereby the *Swediſh* Ambaſſadors deſire to comprehend the Allies on their Part, in their Treaty with the Empire; they are obliged to make a ſeparate Act, to comprehend the Grand Duke of *Muſcovy*, with the Title of *Czariſh* Majeſty; that Emperor, among other Cauſes he gave for his entering into a War againſt *Sweden*, in the laſt King of *Sweden's* Time, gave that alſo, of their not having treated him with the Style of *Czariſh* Majeſty, but only of *Great Duke*, when *Sweden* comprehended him in the Treaty of *Oſnaburgh* in 1648. I am, *&c.*

L. Jenkins.

To Sir *Leoline Jenkins.*

CHARLES R.

TRUSTY and well-beloved, We greet you well. Having thought fit, upon Conſideration of the preſent State of the Affairs of *Europe*, to recal you from *Nimeguen*, and to determine your Commiſſion as Our Ambaſſador Extraordinary, Mediator, and Plenipotentiary there; In which, as you have ſerved Us to Our entire Satisfaction, ſo We cannot but give you this Teſtimony of Our gracious Acceptance and Approbation of your Services during your ſaid Miniſtry. We do hereby give you this Knowledge of it, and accordingly direct you, upon Receipt hereof, to prepare for your Return Home, with your Family and Equipage, with what convenient Speed may be; and ſo We bid you farewel. Given at our Court at *Windſor*, the 11*th* Day of *July*, 1679, and in the 31*ſt* Year of Our Reign.

By His Majeſty's Command,

Sunderland.

Nimeguen, 17*th July*, 1679.

MY LORD,

JUST as I am going to addreſs myſelf to your Lordſhip, according to the Obligation of the Day, I have the infinite Honour of his Majeſty's moſt gracious Letter of the 11*th* of this Month from *Windſor*, for revoking me from this Place; which, as I do receive with all the Veneration and Dutifulneſs poſſible, ſo I do it with an extream Joy, ſince his Majeſty is pleaſed to give therein a Teſtimony of his Royal Goodneſs, in accepting of my weak Endeavours to ſerve him in this Negotiation. I ſhall make what Haſt I can to remove from this Place, having

having not preſumed to make any Shew of preparing for it, but thinking it my Duty rather to wait for ſome Intimation firſt of his Majeſty's Pleaſure.

All the Publick Buſineſs that I have now in my Hands, is a Declaration that I am deſired to draw up for both the Kings of *Spain* and *Sweden*, to publiſh in their reſpective Countries, for the re-eſtabliſhing of the Peace between them: This, I hope, will prove an effectual Expedient, ſince each King will be left to uſe his own Language; and that the Declaration is to be of the ſame Tenor, and to be publiſhed the ſame Day at *Madrid*, *Stockholm*, and *Bruſſels*.

This Expedient each Side gave in to the more readily, when I had ſhewed them that his Majeſty, upon his moſt happy Reſtauration, had taken that Courſe to renew the Peace between the Two Crowns of *England* and *Spain*, after its having been diſturbed and broken by the Uſurper; there having been a Declaration publiſhed the ſame Day at *London* and *Madrid*, purporting, that the ancient Peace between the Two Crowns was again reſtored, and to remain entire, notwitſtanding the Interruption it had received.

What Time the Peace between *Sweden* and the States General will be concluded, I do not yet hear; M. *Beverning* telling me, he hath not yet the Orders of his Maſters what to do in it, tho' he hath ſome Glimpſe, that they will go near to yield the Point in Controverſy; that is, they will aboliſh the additional Impoſt upon Goods that paſs the *Zundt*: If I do find that any further Offices are deſired by the *Swediſh* or *Dutch* Ambaſſadors, in relation to this Peace, or elſe to that with *Spain*, I ſhall humbly take Leave to ſuppoſe it agreeable to his Majeſty's Intentions, that I remain here ſome few Days longer, to put a Concluſion to either, or both thoſe Peaces; but if I be not requeſted thereto, I ſhall not ſuffer any Thing elſe to detain me in this Place.

M. *Beverning* came to me yeſterday with great Joy, as he ſaid, to impart to me a Piece of News that he had received from M. *Blaſpiel*, and he has it from a private Letter of M. *Meinders*; it is, that M. *Meinders*, in a Converſation he had lately with M. *de Louvoy*, having taken Occaſion to diſcourſe to him of the great Armies that *France* had now on Foot, and of the Terror they put the World in on all Sides; M. *de Louvoy* anſwered him, that he perceived well enough, that not only the Princes of *Germany*, but all the Neighbours of *France*, were in Pain to ſee ſuch great Forces kept on Foot, after all Occaſions ariſen from the War were in a manner ceaſed; but he aſſured M. *Meinders*, that the Moſt Chriſtian King was reſolved to give a General Peace and Repoſe to all *Chriſtendom*; and that they were going to give very ſpeedily a ſufficient Evidence of their Intentions, in that *France* would disband 20,000 Horſe out of Hand, as alſo Foot in Proportion.

M. *Heugh* has been expected theſe three Days from *Holſtein*, where he was to wait on the King his Maſter, for to receive Inſtructions for a Voyage into *France*; but M. *Blaſpiel* ſpeaks this Day, that he will not be ſo welcome in *France*, as he would have been if he had gone thither ſtrait forward from hence; for the Court of *France* (as M. *Meinders* writes) interprets this Journey into *Holſtein*, as a Contrivance to gain more Time; and the *Daniſh* Miniſter in the Court of *France* is told, that the King his Maſter may 'ere long hear of a new Propoſition from *France*, that will not pleaſe the King of *Denmark* at all.

I moſt humbly thank your Lordſhip for your great Condeſcenſion, in taking me into your Care and Favour for a Yacht; I ſhall make bold to trouble your Lordſhip when I draw nearer to the Water-Side. I muſt not conceal from your Lordſhip, that I intend to take a Turn to *Amſterdam*,

dam, and ſome other Places of this Country, before I take my final Leave of it; but my Stay ſhall be but very ſhort in thoſe Places; and wherever I happen to be, I ſhall be ſure not to forget the Poſt-Day, and to aſſure your Lordſhip of my being with great Reſpect, *&c.*

L. Jenkins.

Nimeguen, 21*ſt July*, 1679.

My Lord,

In my laſt to your Lordſhip, I did acknowledge my having received the Honour of his Majeſty's moſt gracious Letters of Revocation, with a Letter from your Lordſhip, brought me of the 11*th* from *Windſor*. I have been ever ſince providing for my Journey homewards, and make no doubt, under God, to be ready the latter End of this Week; the Day of my leaving this Place I cannot yet fix, having been requeſted by the *Imperial* and *Swediſh* Ambaſſadors, to help them out of the Difficulties they are in, about making the Peace between *Spain* and *Sweden*; I have no Commerce, nor ever had, with M. *Fuente*, the only *Spaniſh* Ambaſſador that is here, upon an Embarraſs in his firſt Viſits of Ceremony.

Since my laſt to your Lordſhip, I did, at the joint Requeſt of the *Imperialiſts* and *Swedes*, ſend to each of them a Project of a Declaration, whereby the Kings of *Spain* and *Sweden* may, upon the ſame Day, the firſt at *Madrid* and *Bruſſels*, the other at *Stockholm*, declare the Peace by their ſeveral Proclamations of the ſame Tenor, and in their own Language; which is the only Means I can imagine to avoid the great Difficulties that they have ſtuck upon all this while; and they are ſo nice in it to this Day, that they will not come to any Act or Agreement in Writing, for the *Spaniard* will not change his Language, nor the *Swedes* theirs. The *Swedes* let me know laſt Night, by the incloſed Letter, that they were content with the Project I had given in; and M. *Stradtſman* was with me this Forenoon, to let me know, that he and his Collegue approved of it likewiſe in Behalf of the *Spaniard*; but that M. *Fuente* did not find himſelf at Liberty to declare his Agreement to it till he had conſulted the Governour and Council at *Bruſſels* upon it; therefore that he, M. *Stradtſman*, was come to me, in the Name of his Collegue and his own, to deſire me not to go hence, till I had exchanged that Project between theſe Ambaſſadors, and given the *Imperialiſts* (who act in the Behalf of *Spain*) my Atteſtation, that the *Swedes* do approve the Form of the Proclamation, and do take upon them, that their King ſhall proclaim the Peace with *Spain* at a Day to be ſet, and in the ſame Tenor that the Project bears.

My Anſwer was, that if an Expreſs were ſent to *Bruſſels*, he might be back with the Reſolution of the Council before I ſhould be ready for my Journey; but that his Majeſty's Command upon me being to return Home with what convenient Speed I can, I did not think myſelf allowed to ſtay here upon Uncertainties.

It will not be till the Poſt be going, that I ſhall ſpeak with the *Swediſh* Ambaſſadors to this Effect, that they may not think to keep me here any longer than needs muſt; and that it be certain they intend this Buſineſs ſhould be finiſhed, and that ſpeedily, by his Majeſty's Mediation, of which there is Mention to be made in the Proclamation, as your Lordſhip will ſee by the Project itſelf, which I take Leave herewith to incloſe.

THE Nuncio thought to have gone laſt Week, as ſome of his Domeſticks did, but he himſelf went not till this Morning; he made a Propoſition to the Magiſtrates of the Town, that a Place he had fitted for his Chappel, might continue to the ſame Uſe, his Landlord, it ſeems, being of that Communion; he deſired likewiſe there might be ſome more Liberty for thoſe of his Religion here; but the *Dutch* Ambaſſadors told me laſt Night, there was no Likelihood the Magiſtrates of this Place could gratifie him in the one or the other; and I am told by others, the Deputies that ſpoke with him anſwered him to that Effect.

THE *Dutch* Ambaſſadors told me laſt Night, they had yet no Anſwer from their Maſters what to do, and how to come to a Concluſion of their Peace with *Sweden*. I am, *&c.*

L. Jenkins.

POSTSCRIPT.

21ſt July.

MY LORD,

IN the Diſpatch of this Day (which I have been forced to ſend to the Poſt-houſe, before I could add the few Lines I am now writing) I told your Lordſhip I was upon going to the *Swediſh* Ambaſſadors, who, upon my telling them in what State their Affair with *Spain* was, deſired I would not leave this Place before I had finiſhed it; and added further, that their Peace with the States General being of great Importance to them, to finiſh it before I went hence, they deſired my Offices in it, and the rather, in that there was an Intrigue of *France* (*pour parler franchement*, ſays M. *d'Olivenkrantz*) now on Foot at the *Hague*, to bring this Peace of *Sweden* and the States, to be concluded there, and not here. This Notice they have, they ſay, from M. *Silvercroon*, and he collects the Thing from M. *d'Avaux*'s own Mouth. It was their earneſt Deſire that this Peace, notwithſtanding any Deſign to the contrary, might be finiſhed here under his Majeſty's Mediation, and with a due Reſpect to the Zeal his Majeſty hath all this while ſhewed for the Peace of *Chriſtendom*, and to the ſingular Affection he had for the King their Maſter; and they think it more proper for them, than for me, to make the Motion to the *Dutch* Ambaſſadors, to come to a Concluſion of their Peace here: They reſolved to make Overture of it themſelves, by way of Summons to the *Dutch* Ambaſſadors, and to give as a Reaſon, partly the Forwardneſs that the Peace between them and *Spain* is in at this Time, there remaining nothing elſe to be done in this Place; and partly the publick Notice I had cauſed to be given this Day in the Town, that all Perſons that pretend any Thing to be due to them from me, or any of my People, ſhould give in their Demand within 24 Hours.

MY Anſwer upon this Requeſt of theirs was, that as long as I was in this Town, to the very laſt Minute, I would ſerve them in my Function; but that being call'd Home by his Majeſty's expreſs Orders, I had no longer Time here that I could reckon upon, than till I could make my ſelf ready for my Journey.

BUT finding them ſo earneſt and warm, to have their Peace with the *Dutch* finiſhed here, and not transferred to the *Hague*; I ſhall, if I find them and the *Dutch* in the ſame Forwardneſs to conclude it here, not overhaſten to ſet out; and I moſt humbly beg from your Lordſhip, one Word of his Majeſty's Reflexion upon this Incident; for if *France* be contriving to take this Peace out of his Majeſty's Hands, as it hath done that of *Brandenburgh* and *Denmark*, I think it would be his Majeſty's Plea-

Pleaſure, that his Mediation ſhould be reach'd out to the Parties, when, and as long as they deſired it.

ONE Argument M. *d'Olivenkrantz* uſed, which deſerves ſome Reflexion; it was, that this Place being named and eſtabliſhed by his Majeſty's Offices, for the Place of a General Aſſembly to Treat the Peace in, when his Majeſty's Mediation was withdrawn, he ſuppoſed it was no more to be reputed that Aſſembly, in Conſideration of which, the King their Maſter had ſent them hither; and conſequently, that they could not conclude any Thing here when I am gone. All this I ſubmit to your Lordſhip, *&c.*

L. Jenkins.

Nimeguen, 24th July, 1679.

MY LORD,

IN my laſt of the 21*ſt*, I gave your Lordſhip an Account, in a few Lines I writ after the Diſpatch of that Day was gone to the Poſt-houſe, how the *Swediſh* Ambaſſadors ſeemed to be deſirous, that their Treaty with the States General ſhould not be transferred to the *Hague*, but that their Peace ſhould be made here under his Majeſty's Mediation; and to that End, that they had reſolved to preſs the *Dutch* Ambaſſadors to come to a Concluſion, before I ſhould go hence; I have not yet ſeen the *Swediſh* Ambaſſadors, but hope to ſpeak with M. *d'Olivenkrantz* before this Poſt be gone.

I find, by a Viſit I had yeſterday from the *Dutch* Ambaſſadors, that M. *d'Olivenkrantz* had been with them upon that Errand; the Buſineſs of their coming to me, was to inſinuate, that there was no Likelihood of coming to an Agreement with the *Swedes* in any ſhort Time; for as a main Point of their Treaty of Commerce conſiſts in providing for their Subjects, that the *Swedes* do not ſwallow up their Trade, by that Privilege they give to their own Ships when they are armed, by way of Indulgence, beyond and above all Foreign Ships, the States General are reſolved to have a very exact Deſcription of thoſe Ships, as to their Breadth, Length, Depth, as well as the Number of Guns, (which laſt is the Thing not yet agreed on, that they ſhall carry 24 Guns at leaſt) to the End, that the Proviſion the *Dutch* make in the Treaty in Favour of their own Subjects, be not eluded by ſuch a ſlight Way of arming, as that ſuch Ships ſhall carry away all the Trade, and yet not be effectively Men of War fit for Service, for the Encouragement of which alone, this Privilege is intended. The *Dutch* Ambaſſadors told me, that M. *d'Olivenkrantz* confeſſed to them, that they, the *Swedes*, were not inſtructed further, than to agree that the privileged Ships ſhould be of 24 Guns, and that for the further Qualifications of ſuch Ships, they muſt, before they agree, be inſtructed from their Court; where ('tis true) there hath been lately a Regulation made, how the Men of War that are to be privileged in Matter of Trade, are to be qualified in all Points; which Regulation is not yet come to their Hands.

THERE are other Points unadjuſted between them, as the *Dutch* Ambaſſadors told me, but did not ſpecifie them. The Occaſion of their coming to me, they ſaid, was, to let me know the preſent State of this Affair; and to tell me further, that the States of *Holland* had had it in Deliberation at their laſt Meeting, but had ſeparated without reſolving any Thing upon it; that they had met again on *Tueſday*, but that theſe Ambaſſadors did not know, whether this Buſineſs was to be re-aſſumed

at the preſent Meeting, nor did they expect to know what the Iſſue would be, in caſe it were re-aſſumed, till *Sunday* next. That which they particularly deſired of me was, to call to Mind, that I had in my Hands their Original *Plenipouvoir*, and therefore deſired me to have it in a Readineſs, and not to put it up among my Papers; that in caſe nothing was to be done towards a Concluſion, upon this Meeting of the States of *Holland*, and conſequently nothing to be done upon my Offices, I might reſtore them their Powers again before I went hence; but in caſe they ſhould be enabled to conclude and ſign, I might then have them ready to produce, and do my Offices upon them.

But M. *Beverning* expreſs'd himſelf, that, to deal plainly with me, he did not ſee any Probability of their coming ſpeedily to a Concluſion with the *Swedes*, ſince the *Swedes* muſt yet have Recourſe to their Court, upon the ſeveral Points in Difference, which muſt take up a great deal of Time; and that I could not reaſonably be deſired by them to continue here upon ſo great Uncertainties, unleſs their Maſters ſhould happen to come to a Concluſion at this Aſſembly of the States of *Holland*. The *Dutch* Ambaſſadors told me further, that M. *d'Olivenkrantz* asked them, whether they had heard any Thing of a Propoſal of M. *Colbert* and *d'Avaux*, for removing this Negotiation hence to the *Hague*; and that they had proteſted to him, they had heard nothing of any ſuch Intention. This is the Account I have from the *Dutch* Ambaſſadors; by which it is plain enough, (under Correction) that there is no need of my ſtaying here; and that it would be ſo much the more improper, in that the *Dutch* Ambaſſadors do not ſo much as deſire it, unleſs it happens that their Orders from the *Hague* on *Sunday* next ſpeak otherwiſe.

Having gone thus far, M. *Blaſpiel* comes and tells me, there may be yet a long Rub in the Peace between *Denmark* and *Sweden*; for the King of *Denmark* (ſeeing that the Arms of *France* cannot reach him this Summer) is not like to yield to the Terms that are demanded of him, which is, a full Reſtitution of all to the Crown of *Sweden*, and the Duke of *Holſtein Gottorp*; and that is the Reaſon, he thinks, that M. *Heugh*'s Journey into *France* is no more talk'd of.

M. *d'Olivenkrantz* juſt now tells me, he has private Letters from *Malmoe*, by which he finds, that the King his Maſter will ratifie the Peace that *France* hath made with the Elector of *Brandenburgh*; which is a Thing, if it proves ſo, of very great Moment to the General Peace. He ſays, nothing is yet agreed on at *Lunden*, which he attributes to the Stiffneſs of the *Dane*, that would have, *Firſt*, *Elſingbourg* and *Landſcroon* quitted to *Denmark*. *Secondly*, The Caſtle of *Malmoe* demoliſhed. *Thirdly*, That the *Swedes* paſſing through the *Zundt*, ſhould pay equally with other Nations. And he ſays, the little Hopes that *Denmark* hath of gaining any one of theſe Points in the Court of *France*, is the Cauſe that M. *Heugh*'s Journey is laid aſide.

He ſays, that Sir *Edward Wood*, when his Letters were writ, was arrived near *Malmoe*, and will have the Negotiation put into his Hands as ſoon as he comes, M. *Feuquieres* not meddling with it, but appearing and acting in all Things as a Party jointly with *Sweden*; the Offices of Mediation that have been hitherto done, have been done by one *Gerſdorffe*, a Miniſter employed there by the late Elector of *Bavaria*, and the Elector of *Saxony*.

He gave me a large Account of the Differences between the *Swedes* and the *Dutch* Ambaſſadors; the main one is, concerning the arming, and other Qualifications of privileged Ships, as above accounted for; there are two more, the one is, the *Dutch* Ambaſſadors would have all

Uſages

Uſages in *Sweden* that are deſtructive to their Trade, and have been introduced ſince the Year 1640, to be aboliſhed; but the *Swedes* would have this Abolition to commence only from 1656.

THE other is, the *Dutch* would be paid for 4 *Holland* Ships laden with Corn, that have been taken by *French* Privateers, and ſold in the Ports of *Sweden*: M. *d'Olivenkrantz* does not, he ſays, underſtand, why the *Dutch* ſhould ſtart ſuch little Points as theſe, thereby to give to themſelves a Pretence to delay the concluding of the Peace.

M. *Blaſpiel's*, and alſo my own Letters juſt come to Hand from the *Hague*, tell me, their Highneſſes the Prince and Princeſs of *Orange*, will be ſetting out this Day, or to Morrow, for *Deeren*. I cannot therefore determine upon what Day of next Week to leave this Place, becauſe I would firſt wait on their Highneſſes there. I am, *&c.*

L. Jenkins.

Nimeguen, 28th July, 1679.

MY LORD,

IN my laſt, which was of the 24*th*, I gave your Lordſhip an Account, that their Highneſſes the Prince and Princeſs of *Orange* were expected at *Deeren*; they arrived there on *Friday* late at Night: Yeſterday I ſent a Gentleman to wait upon them, and his Highneſs was pleaſed to appoint to Morrow for me to come thither, in order to take my Leave; and ſhall have the Happineſs of Mr. *Sidney's* Company, who arrived here yeſterday in his Way to *Deeren*.

M. *d'Olivenkrantz* was with me yeſterday, to tell me he was afraid that the States General had not reſolved on a ſpeedy Concluſion of the Peace with *Sweden*; he ſaid, he had no Letters yeſterday from M. *Silvercroon*, which he very much wondered at; but the Poſt before M. *Silvercroon* had adviſed him, that the Penſioner had let fall ſome Words, as if the States would be content to betake themſelves to an Expedient, which was, to conclude and ſign the Treaty of Peace, and to leave the Treaty of Commerce to another Time, when the Parties might be better diſpoſed to come to an Accommodation upon the Points in Difference; this Expedient the *Swediſh* Ambaſſadors (as M. *d'Olivenkrantz* told me in Confidence) will not refuſe; but, on the other Side, they will not go ſo far as to have it offered in their Names: Of this Matter, I hope to have ſome Diſcourſe with the *Dutch* Ambaſſadors before the Poſt goes, to the End your Lordſhip may know what is like to become of it.

ANOTHER Thing he told me was, that M. *Fuente* had not any Anſwer yeſterday upon the Project I had given in, for declaring the Peace between *Sweden* and *Spain* by way of Proclamation; the Reaſon was, that the Duke *de Villa Hermoſa* and his Council were gone to the Dutchy of *Luxemburgh*, before M. *Fuente's* Letters that carried that Project arrived thither; but hopes to have the Reſolution of that Court upon it by the Poſt of *Wedneſday* next.

HE cloſed this Converſation with telling me, (from a very good Hand, he ſaid) that M. *Pompone* had lately taken Occaſion to tell M. *Dyckvelt*, one of the *Dutch* Ambaſſadors in *France*, that the King his Maſter had had Notice of a League offenſive and defenſive, that was contriving between the King our Maſter and the States General; and that the Moſt Chriſtian King had commanded him, M. *Pompone*, to tell M. *Dyckvelt* ſo much; and that if they, the States, did enter into any ſuch League, he could

could not reckon them (as now he does) his Friends; and that being adviſed timely enough of it, he would be ſure to take his Precautions accordingly.

HAVING ſpoken with the *Dutch* Ambaſſadors, I find they have no Orders to do any Thing further in their Peace with *Sweden*; they expected, they ſaid, to hear yeſterday from their Maſters about it, the States of *Holland* being now ſeparated till the Month of *September*; but not hearing, they ſuppoſe the Reſolution of the States of *Holland* is not yet carried to them; nor do theſe Ambaſſadors think, that the Difference between them and the *Swedes* will ſuddenly be brought to a Concluſion.

M. *Heugh* came Home laſt Night, and tells me, the King his Maſter hath diſpenſed with his Journey into *France* for a Time; that M. *Meyercroon* hath all the Powers requiſite to conclude there, and he believes the Peace will at laſt be made at *Paris*; there being nothing done in the Conferences at *Schoonen*, which ſome ſay are already broken up; he ſays all the *French* are marching back, and that there is not a Man of them left in the Countries of *Oldenburgh* and *Delmenhorſt*, nor about *Minden*, which to M. *Heugh* is Matter of great Wonder.

WHEN I come back from *Deeren* to Morrow, I ſhall be able to fix my Day for leaving this Place, which will be within 2 or 3 Days afterwards, unleſs her Highneſs the Princeſs will do me the Honour to call here the latter End of this Week, (as it was ſaid at *Deeren* yeſterday ſhe was like to do) in her Way to the Baths at *Aix la Chapelle*. I am, *&c.*

L. Jenkins.

Nimeguen, 31ſt July, 1679.

MY LORD,

IT is with all the humble Thanks poſſible that I acknowledge the Favour of one from your Lordſhip of the *22th*, by which I find his Majeſty is at laſt graciouſly pleaſed to determine, that I ſhall not receive the Preſent offered me by M. *Colbert*, in the Name of the Moſt Chriſtian King. It is with very great Joy that I conform myſelf to his Majeſty's Pleaſure in that Point, for I find every Day more and more Reaſons to refuſe ſuch Preſents. I acquainted your Lordſhip in my Letter of the *10th*, that M. *Colbert* had left the Preſent intended for Sir *W. Temple* in my Hands; I would have excuſed myſelf, and did all I could not to be charged with it; but he urged, that tho' I had anſwered for myſelf, and had refuſed the Preſent intended for me, yet that I had no Pretence, nor could have any Inſtructions, to do ſo for Sir *W. Temple*; and that the Moſt Chriſtian King having expreſly directed, that the Preſent deſtined for him ſhould be put into my Cuſtody, in regard he was not here himſelf upon the Place; I could not, he ſaid, with any Colour of Reaſon, nor without giving juſt Offence to the Moſt Chriſtian King, refuſe to take it *proviſionally* into my Care, he having no other Orders, and being to leave this Place, as he did, before I could know Sir *W. Temple*'s Reſolution; for that which paſs'd between him and me was the *10th* of this Month, and he went away hence the *14th* in the Morning; and is gone ever ſince *Tueſday* was ſevennight from the *Hague* for *France*.

M. *d'Olivenkrantz* told me yeſterday, that the *Dutch* Ambaſſadors had ſent to him and his Collegue the Day before, to deſire a Conference with them; that they debated together all the Points in Difference between them, (whereof I gave your Lordſhip in ſome of my former Letters an Account)

Account) but that they could come to no Agreement; only the *Dutch* Ambaſſadors took upon them to report all to their Maſters; and M. *d'Olivenkrantz* thinks they were pretty well convinced of the Equity of what was demanded, and inſiſted upon in the Behalf of *Sweden*; yet, he ſays, that the Difficulties ſtill ſticking between them are owing chiefly to one *Tenhoven*, Penſioner of *Harlem*, and Nephew to the Raedt Penſioner *Fagel*, who having the Direction of the Treaty of Commerce with *Sweden* intruſted to him, labours to value himſelf to the Province of *Holland*, and particularly to the City of *Amſterdam*, for his Addreſs and Zeal in managing this Affair, ſo that nothing eſcape them in that Treaty that ſhall be to the Prejudice of their Trade, but rather inſiſt to the utmoſt upon the Advantages that any of the Trading Men can propoſe to themſelves to gain in this Treaty.

But I am apt to think, there is in this Delay ſome little Complaiſance for *Denmark*, there being a *Daniſh* Miniſter (as I am told) at the *Hague*, that did lately ſollicit that the Peace of the States with *Sweden* might not be overhaſtened, till the Peace of *Denmark* with *France* and *Sweden* be in a better Forwardneſs.

Of this Peace, M. *Heugh*, in a Viſit he was pleaſed to favour me with laſt Night, told me, they had no Hopes from what is doing in *Schoonen*, not that thoſe Conferences are broke up, as was given out, but that the *Swedes* are as immoderate as ever in their Demands: On the other Side, tho' M. *Meyercroon* has begun a Negotiation, and made great Offers at the Court of *France*, he, M. *Heugh*, does not yet know, whether they'll come to a Cloſe with him, M. *Feuquieres* pretending that all is to be done in *Schoonen*; and, on the other Side, the Miniſters of *France* ſaying, it is in a Manner impoſſible to bring thoſe two Nations to any Terms, unleſs it be done at the Court of *France*: But it is the Opinion of the *Brandenburgh* Ambaſſador, that the Court of *France* having now given a Peace to the Empire, would be willing enough to ſee the War continued yet for ſome while between the Two *Northern* Kings; and upon that Account will not grudge to continue for a while longer their Subſidies to *Sweden*.

This Ambaſſador is in Pain at this Time for the ill Health of the Elector his Maſter; the Chagrin he hath to ſee his Countries undone, after that he had ſacrificed all to ſave them by the Peace, having of late put him into a very ill Condition of Health.

Mr. *Sidney* and I were on *Tueſday* to wait on their Highneſſes the Prince and Princeſs of *Orange* at *Deeren*; they were both in perfect Health; and the Princeſs will within theſe 2 or 3 Days have ended her Courſe of *Spaw* Waters; and upon *Wedneſday* next, will begin her Journey for the Bath at *Aix la Chapelle*. It happens that *Nimeguen* lies directly in her Highneſs's Way that Day, and ſhe hath been pleaſed to tell me, ſhe would do me the Honour to repoſe herſelf about the Middle of the Day at my Houſe, intending to go 4 or 5 Hours further that Night, in her Way to *Maeſtricht*, and ſo to *Aix*.

The next Day after I intend (God willing) to leave this Place, for before that Time I cannot hope to have their Highneſs's Letters; that they told me they would do me the Honour to write by me to his Majeſty; beſides that, I look upon it as a Duty indiſpenſable, not to leave this Place, at a Time that the Princeſs would come through it ſo ſoon after.

One *Kelſen*, an *Echevin* of the Town, coming ſome Days ago to dine with me, made a Complement of *farewel* after Dinner, in the Name of the Magiſtrates of the Town, pretending that he had been deputed

to

to it. He added, that he had been at the Nuncio two Hours before, and had made him the like Complement by Order of the Magiſtrates.

I knew it could not poſſibly be, for that it is againſt the Stile of the Town to depute one Man, and no more, upon ſuch an Occaſion as this was, to an Ambaſſador: Beſides, the Magiſtrates had not many Days before deputed their two Burgomaſters to me upon the ſame Complement. I therefore obſerved to the *Echevin*, that he could not poſſibly be charged with any ſuch Deputation, much leſs that he was directed to diſcharge himſelf in that Order as he ſaid he had done it, firſt to the Nuncio, and then to me, for that they being Magiſtrates of a Proteſtant Town, and Members of a Proteſtant State, knew very well the Order that was to be obſerved towards his Majeſty's Ambaſſadors, and that the Nuncio could not here enter into any Competition with us; and therefore inſtead of thanking this *Kelſen*, I told him I expected the Magiſtrates ſhould correct him for his Impertinency.

I ſent for the Burgomaſters, who appeared to be exceedingly ſurprized and troubled at the Thing; obſerving to me the notorious Weakneſs of the Man, and how that he came to me upon a Day, upon which there could not poſſibly be a Deputation made, ſince both the Burgomaſters happened to be that Day out of Town; and being Senior *Echevin*, (and conſequently at Liberty to do ſome ordinary Matters) took upon himſelf this Deputation: And as to the Order, he came to me, they ſaid, in the laſt Place, intending to take his Dinner with me, rather than with the Nuncio.

My Anſwer was, that tho' I was perſwaded all this was true, and had proceeded not out of Malice, but from the Weakneſs of the Man, yet that they could do no leſs than depute towards me from the whole Body of the Magiſtrates, to diſavow what *Kelſen* had done, and to declare that he had no Manner of Deputation from them to that Effect; as alſo that they would puniſh him for his Boldneſs, and order their Secretary to give me in Writing, the Declaration that they ſhould make upon this Occaſion.

The Burgomaſters went from me, and having firſt conſulted the *Dutch* Ambaſſadors, reſolved to depute towards me, and to diſavow all that *Kelſen* had done, which they did in the Form of Words that goes incloſed.

The Deputation conſiſted of the two Burgomaſters, one *Echevin*, Mr. *Walters*, (the graveſt of them all) and M. *Hukeloom* the chiefeſt Secretary of the Town; he that ſpoke for the reſt was M. *Fagel*, the eldeſt Burgomaſter, the Raedt Penſioner's Brother; and 'tis from the Secretary I have a Copy of what M. *Fagel* ſpoke.

There was preſent when this Deputation came, the two Envoys of *Mecklemburgh*, and two Gentlemen more that happened to dine with me, and were preſent when *Kelſen* took upon him to make me his Complement; ſeveral of the Magiſtrates have ſince deſired of me, to excuſe the Thing the beſt I could towards his Majeſty, ſince none of them ever thought of deputing *Kelſen* upon any Meſſage towards me, much leſs of directing that he ſhould go firſt to the Nuncio, and then to me. All which I humbly deſire your Lordſhip to repreſent to his Majeſty, to the End his Majeſty may pleaſe not to entertain any Prejudice againſt the Magiſtrates, as if they had been any Way acceſſary to this groſs Fault of their *Echevin*. I am, *&c.*

L. Jenkins.

Nime-

Nimeguen, 4th Aug. 1679.

My Lord,

THE *Dutch* Ambaſſadors told me yeſterday, that they have not yet any Orders or Anſwer from the States, upon the Report they had made them of the Conference on *Tueſday* laſt with the *Swediſh* Ambaſſadors, touching the Points in Difference between them: However, they aſſured me, that whenever the Treaties between this State and *Sweden* come to be concluded, there ſhall be a Mention and Acknowledgment made, with all due Honour, of his Majeſty's Part in bringing this Peace about by his Mediation; tho' the Prince was pleaſed to tell me on *Saturday*, that it ſeemed to him that this Buſineſs of the Commerce between the *Swedes* and the States would not be brought ſo ſoon to a Cloſe.

The Governour and Council at *Bruſſels* have approved of my Project for proclaiming the Peace between *Spain* and *Sweden*; ſo that now there remains no more but that each Embaſſy ſhould undertake, that the Peace ſhall be publiſhed by the Kings their Maſters reſpectively, at one and the ſame Day. I am, *&c.*

L. Jenkins.

Nimeguen, 7th Aug. 1679.

My Lord,

THE Princeſs arrived here yeſterday by Nine, and ſtayed here till Two, and afterwards made 3 or 4 Hours, which prov'd to be 6 indeed; ſhe was very well this Morning when ſhe ſet out, and will be to Morrow Night at *Maeſtricht* with Eaſe: Moſt of my People and Goods will be on Shipboard this Night, but I cannot get off hence till to Morrow, the Buſineſs of yeſterday having put me back: Beſides, the *Swediſh* Ambaſſadors came to me very ſolemnly at 8 laſt Night, (for it was ſo late before I could be back from the *Grave*, whither I waited on the Princeſs) and gave in a Memorial, or rather a Proteſtation, whereby they purge themſelves, and charge the *Dutch* Ambaſſadors very Home, that it is by their Delay it comes to paſs, that the Peace between them and the States is not finiſhed while I am upon this Place, that it may have its full Perfection under his Majeſty's Mediation. To this the *Dutch* anſwer, that they have no Reſolution or Anſwer from their Maſters, upon the Points in Difference between them and the *Swedes*. However, they have charged themſelves with the Memorial, but did not think they could have any Anſwer given to it, till the next Meeting of the States of *Holland*, which will be about the Middle of *September*, *N. S.* To Morrow I ſhall, God willing, leave this Place, and hope your Lordſhip will do me the Honour to move his Majeſty for a Yacht, if any of them may be ſpar'd conveniently; if not, I'll haſten by the Pacquet-Boat, and ſhall be very joyful to approve myſelf, My Lord, *&c.*

L. Jenkins.

Bruſſels, 15th Aug. 1679.

My Lord,

IT was very late laſt Night before I reached this Place, having been 4 Days in my Paſſage from *Rotterdam* hither; one ſcurvy Encounter I had in the Way with the Searchers at the Fort of *Lillo* upon the

Scheld. There came on Board of me two inſolent Searchers, notwithſtanding I had a new Paſſport from the States General in the beſt and ſtrongeſt Form that can be deviſed, for myſelf and Baggage. Tho' there was no other in the Veſſel, I having hired it expreſs for my Paſſage from *Rotterdam* to *Antwerp*. They pretended to make a Search before they read over the Paſſport. I was pretty round with them, when I found them not only come on Board me, but got into the Hold, before they had ſo much as addreſs'd themſelves to me, or to any of my People. I turned them out, but without any Manner of Violence; telling them, they might return again and make their Search, in caſe they found, after reading of the States Paſſport, they had any Colour for it. Theſe two Searchers being returned on Board of their own Boat, made Signs to all the Boats in the Fort to come to their Aid, and at the ſame Time gave me and my People very inſolent Language; whereupon ſome of my People went to them, and fell to Cuffs, and in that (for the Truth muſt not be concealed from your Lordſhip) they were the Aggreſſors againſt my Will: What they alledge for themſelves is, that the ill Language given me and them was moſt unſufferable: The little Boats being come, the *Dutchmen* fell to Blows with their Oars, and I received a Blow or two upon my Arm, but, I thank God, without Hurt; there was no great Harm done in the Scuffle. The *Dutchmen* at laſt being glad to withdraw, ſent to me by my Chaplain, to deſire that they might come and ask my Pardon. My Anſwer was, that it was not in my Power to pardon ſuch a Violence and Affront, to the Reſpect that was due from them to the King my Maſter; but that I would lay the whole before his Majeſty, and ſubmit it to his gracious Pleaſure. It is a Thing, it ſeems, too uſual in theſe Countries, for Publick Miniſters to meet with ſuch Inſolencies, of which his Majeſty may pleaſe to determine, without taking any particular Reſentment of mine into Conſideration.

Upon my coming hither laſt Night, I found their Royal Highneſſes in perfect good Health; and ſhould have been going hence to Morrow, but that I find there is a Yacht or two expected every Day at *Antwerp*: If any comes, I ſhall make bold to imbark with the firſt that preſents it ſelf, and conſequently ſpare your Lordſhip the Trouble of moving his Majeſty to honour me with the ſending of one on Purpoſe. If it prove otherwiſe, I ſhall haſten all I can to *Rotterdam*, and thence aſſure your Lordſhip of my being with great Reſpect, your Lordſhip's, *&c.*

L. Jenkins.

The End of the Negotiation at Nimeguen.

A Letter of Mr. David Jenkins, *one of the Judges of* Wales, *to Dr.* Wilkins, *Warden of* Wadham-College, Oxon.

DEAR FRIEND,

OLD Men affect old Ways and old Manners. Your Courteſie and Civility to me (who am now in no Capacity of Retribution) is a Favour of the ancient Stamp. *Virtutis merces eſt ipſa virtus.* I heartily thank you for the Loan of the Book and Papers, which I will return (GOD willing) 'ere long. I do recommend to your further Favour and Protection the Bearer, Mr. *Leoline Jenkins*, and give you many Thanks for the Civilities you have already ſhewn him; and dare ſay, that you may ſafely depend on him, whenever you ſhall be pleaſed to beſtow a Line on your ſincere Friend and Servant,

David Jenkins.

Wallingford Caſtle, June 21. 1651.

To the Honourable Mrs. Montague, *upon her Marriage.*

MADAM,

MY Boldneſs thus to bid you Joy hath no other Plea, but that I wiſh your Happineſs with ſo much Zeal and Sincerity, that I muſt congratulate it, tho' with ſome Indiſcretion. I cannot expreſs the Fervour and Fulneſs of my Wiſhes on this Occaſion: Yet the Sum of them is, that you may ever find a full Correſpondence in all Things to your own noble Thoughts and Inclination: That you and your ſecond ſelf may always flouriſh in the Enjoyment of the choiceſt Bleſſings in this World, and which you may exchange (though late) for Crowns of Glory in the next. In a Word, MADAM, my infinite Obligations to yourſelf, and your noble Family, doth intereſt me ſo far in your Happineſs, that I am not capable of a greater Joy than this, upon your Ladyſhip's Marriage with a Perſon of ſuch eminent Worth and real Honour: And I ſhould beg the Favour to have my humbleſt Duty and Service preſented to my dear Friend Mr. *Montague*, but that (you both being now but one) ſo much is underſtood in the Notion of my being, MADAM, *&c.*

L. Jenkins.

Oxon, Dec. 11. 1651.

To the Honourable Mrs. Montague *at* Barnwell Caſtle.

MADAM,

BEING under the ſame Arreſt of Sadneſs with yourſelf, I am as little capable to offer you any Comfort or Conſolation, as I fear yourſelf are as yet to receive it. You have loſt a Brother, that had ſo much Tenderneſs for your Ladyſhip, that the Terms of Love and Honour in their greateſt Latitude are not ſignificant enough to expreſs it; and I have loſt a Friend, that had ſtudied himſelf and his Relations to paſs all the Endearments and Obligations imaginable upon me, during thoſe 13 long Years that I have had the Honour to carry him as it were in my Arms. Yet neither you nor I, MADAM, muſt ſay we have loſt him; the ſame bleſſed Hand that hangs your Cloſet with Mourning, and mingles your Diſcourſe with Tears, hath filled his Cup with Joy, and crowned his Head with Glory. This is the only Glimpſe of Comfort that I can yet endure to look or think upon, and I take the Liberty to point it out unto your Ladyſhip.

THE laſt Scene of his Life was full of Piety and Prayer, which is ſome Evidence that he was no Stranger to thoſe Duties in his Health. This I have not only from Mr. *Howell*, who ſent me the aſtoniſhing News of his Deceaſe, but from Dr. *Wilde* himſelf, whom the dear Soul had ſent for of his own Motion, or rather, of the Holy Spirit's, to aſſiſt him. I ſhall ſend your Ladyſhip an Account of it, in the Words of the Doctor's own Letter to me.

— I found him very ſenſible, and exceedingly devout, full of the moſt ſenſible Touches of Chriſtian Hope, making a clear Confeſſion of his Faith, and pouring out his Soul in loud and earneſt Supplications. His Longings after the Bleſſed Sacrament were very great, wherein yet I could not ſatisfie him that Night, there being not a ſufficient Number to make a regular Communion, ſo that we agreed upon the next Day; and accordingly I came with the Chalice, but underſtood he was dead that Night.

THESE and more to the ſame Purpoſe are the Doctor's own Words; and it cannot but oblige us to acknowledge the Goodneſs of GOD, who was pleaſed to ſhew unto this poor young Gentleman ſo much of the Light of his Countenance in his dark and tempeſtuous Moments, as to give him the Deſire, and in ſome Meaſure the Opportunity of this Bleſſing from GOD, and Aſſiſtance from his Miniſter. As for the Holy Communion, our gracious GOD, we may aſſuredly hope, accepted of his holy Vows and Deſires, and Preparation of Heart, and thought it beſt to take him to himſelf, and not to anticipate him with his Antepaſt here, but to bring him at once to the very Fountain of Life, and the Eternal Supper of the Lamb. When I conſider this, MADAM, and add to it my own Reflexions upon his conſtant Attendance to his Morning and Evening Devotions, from the firſt Day that I knew him to the laſt, his juſt and noble Thoughts, his ſober and inoffenſive Deportment, his generous Heart and charitable Hand, (beyond any Man's of his Years that I have yet met with) I can mingle ſome Tears of Joy, with thoſe many I have ſhed for Grief, and break out with holy *Job*, and ſay, *The Lord gave him, and the Lord took him away, bleſſed be the Name of the Lord.* I cannot but ſay ſuch a Sorrow is juſt and decent, agreeable to Nature and Reaſon; that Religion forbids it not when moderate; and our bleſſed Saviour weeping for *Lazarus*, when he ſaw him in his Grave, does ſufficiently warrant the Tears of ſo pious a Siſter, for ſo ſweet, ſo hopeful, and ſo dear a Brother. But a Heart like yours, full of Piety and holy Thoughts, having in ſome Meaſure ſatisfied what is due to Nature, will the eaſier yield to the Dictates of Religion, and be ſilent before its Maker, with that Reſignation which is due to his Will, who is the Author of Life and Death; and in the midſt of your Grief remember, that he chooſeth beſt for us, however hard and ungrateful the Choice may ſeem at preſent to us. MADAM, all I can ſay on this ſad Occaſion, I know is almoſt ſuperfluous, to one whoſe Soul breaths ſo much true Piety and Religion, unleſs it be to expreſs the Sympathy of your Ladyſhip's, *&c.*

L. Jenkins.

Appley in *Shropſhire*, *Sept.* 19. 1659.

To Sir *Francis Manſell.*

SIR,

YOU were pleaſed in your laſt to honour me with an Invitation, to take more upon me than ſuits with my low Condition, and to uſe a greater Freedom than becomes my mean and humble Pen; for I confeſs myſelf very unfit to dictate any Thing to you by way of Advice, tho' I am very zealous to ſuggeſt every Thing that I can imagine pertinent to your Affairs. And therefore, SIR, I ſhould now have troubled you (as you was pleaſed to deſire) with my poor Judgment, of the moſt expedient Courſe, and moſt advantageous Books that you can faſten upon, for the perfection of your Studies; but underſtanding that you are engaged in a Multiplicity of Buſineſs, I cannot conceive ſuch an Addreſs now ſeaſonable, tho' I ſhall not forget it, when you are fully ſettled, and better prepared upon that Work. At this Time then, SIR, I have no more to ſay, but that tho' ſome may pity, I do rather congratulate your Lot, in this ſtormy Entertainment of the World; and I think I have ſome Reaſon for it. For this firſt View you have of the World, repreſents it to you in its proper Colours, empty, unſatisfying, and troubleſome, as it really is, without the *fucus* and Diſguiſes of too great Abundance and Pleaſure. 2. Thoſe Troubles (tho' comparatively very minute ones) muſt engage you in a nearer Approach unto, and a firmer Reliance upon the Providence of

of Almighty God, who alone can, and in his good Time will, I doubt not, extricate you from thoſe Difficulties, which ſeem now to encircle you. 3. This Juncture is an Opportunity for many excellent Vertues, Humility, Thrift, Patience, and Prudence in the ordering of your Affairs; whereas Perſons that wallow in Eaſe and Plenty, are commonly too forgetful, nay, almoſt incapable of theſe Duties. So that this Scene of Troubles is a School of very wholſome, tho' harſh Diſcipline, under which you muſt needs grow a great Proficient, ſeeing you are already fix'd upon ſure Grounds of Piety and Religion. Which that you may make the true Uſe of, and that God will in his own appointed Time give you a happy Iſſue out of them, is my ſincere Wiſh and hearty Prayers, and do aſſure you none will rejoyce more in the Courſe of your better Fortune or future Honour, than your obliged Servant,

L. Jenkins.

Appley, 1658.

To Mr. Athanaſius Davies.

Sir,

Upon Information from divers Friends, of your extraordinary Care and Conſcience in the Work of your Miniſtry, I think myſelf bound to congratulate, though unable to encourage or aſſiſt you in ſuch religious Performances. I joy to hear, that your holy Exerciſes are according to the Order, and in the Form of the Church of *England*; which Form, (I mean, the Liturgy) as it is of moſt Advantage and Comfort to practical and ſober Chriſtians, ſo it is moſt ſcorned and perſecuted by ignorant and new-fangled Men. Wherefore we ſhould be more in Love with it now, and ſet our Hearts at Reſt in this Reſolution, that we deſert not a Truth becauſe it is perſecuted, nor entertain an Error becauſe it ſeems proſperous, or embraced and countenanced by Men in Power; for there hath been never any Truth of Conſequence, but hath met with Adverſaries, and ſcarce any Error or Abſurdity that hath not found Abetters. I rejoyce to hear that you have ſo full a Congregation to joyn with you, for 'tis an Argument that there are ſtill among us thoſe Men, that dare worſhip the God of their Fathers in Spirit and Truth, and will not bow their Knee to *Baal*, or wait upon their Maſters to the Houſe of *Rimmon*. It is a great Evidence that ſuch Perſons are ſincere Profeſſors of Religion, becauſe they expoſe themſelves to the Troubles and Diſadvantages of this World, in a Buſineſs which too many Men eſteem in no Degree neceſſary, and ſome altogether ſuperfluous. The Conſtancy of your Auditors, minds me of the Reliſh and Reverence that *Hugo Grotius* had of our Service; you know he was a *Dutchman*, one of the moſt eminent for his Piety and Learning that this latter Age hath produced, as his Notes upon both Teſtaments, his Tracts *de veritate Religionis Chriſtianæ* againſt *Socinians*, and alſo his Eſſays for the Peace and Reconciliation of Chriſtian Churches, beſides his Tracts of the Civil Law, do abundantly manifeſt. That Great Man, I ſay, did always recommend unto others, and ſtrictly command his Wife to joyn her ſelf to the Communion of the Church of *England*, as that which was in his Judgment moſt near to the Purity of the Primitive Churches in Divine Service, and other Points of Conformity and Imitation. And a Gentleman of Quality in *France*, (beſides the Hearſay of divers others) told me, he had often ſee *Grotius*'s Lady at Sir *R. Browne*'s Houſe at *Paris*, duly frequenting our *Engliſh* Service, and Monthly Communions, celebrated by the Exiles of the King's Party there. Well fare thoſe honeſt Hearts then with you, that tread the old and the ſure Way; that have no other Deſign in their Religion but to ſerve God, and ſave their Souls; who make no Trade of their Religion, but think it ſafer to loſe by practiſing, than thrive by profeſſing of Piety; they will find ſuch Godlineſs, which they may happen to be Loſers by here, to be their greateſt Gain, when their Accounts of Eternity are ſtated. As for yourſelf, what you do in order to the Diſcharge of a good Conſcience, I know is done not only without Encouragement, but with Hatred and Oppoſition; however, I am perſwaded you find more Satisfaction and Comfort in your Thoughts, than thoſe, who under Pretence of Preaching Christ Jesus, the Author of Truth, Peace, and Order, do no other than promote Rebellion, Hereſies, and Confuſion. You take the ſafeſt Courſe, in my poor Judgment, to keep cloſe to the Orders of the Church; for that Method in Publick Offices muſt needs be moſt acceptable to God, and moſt warrantable as to Men, which is according to his Word eſtabliſhed by the Church, whom Christ hath authoriſed, and promiſed

to

to aſſiſt in ſuch Caſes; ſo that it can never be objected unto you, that you either vary from, or, which is worſe, contemn the Authority and Preſcriptions of your Mother Church, whom we are all commanded to hearken to, and whoſe Orders all Clergymen have a ſpecial Obligation to obey. In Truth, SIR, you do hereby much advantage the Cauſe of the Church which you ſuffer for, by making it appear in your Actions, that you cannot neglect the Duty, though you may not reap the Profits of your Calling; and that no Diſcouragements whatever can abate your Zeal. You do, I am confident, already find the Benefit of theſe your conſcientious Performances redounding upon your own Soul, by enabling you to inſtruct your Hearers in the moſt uſeful Points, and eaſie Method, and in ſome Sort to ſtop the Mouth of all Gainſayers, by ſound Doctrine, and (which is moſt powerful) by a Converſation exemplarily religious and ſober. But altho' your Care and Conſcience, both in your Life and Doctrine, are extraordinary, alas! how ſcanty is your Subſiſtence; however, I hope the ſame gracious Hand of Providence will never fail to ſupply your Neceſſities; theſe the Apoſtle determines to be Food and Raiment, we have promiſe for no more; and ſo much poſſibly we may be abridg'd of for the greater Glory of GOD, in our Patience and abſolute Reſignation of Soul and Body unto him. I need not mention what a mean Condition the Apoſtles were in, during their Pilgrimage here on Earth; or the infinite Sufferings of St. *Paul*, for preaching the Goſpel: For we cannot reflect upon any one Century of the Church, that is not remarkable for the Poverty and the Blood of her Martyrs and Confeſſors. The Eminency of their reſpective Gifts and Graces could not exempt them from Perſecution, even to Death, for the Religion which they taught; and we are bound to maintain his Truths at the ſame Hazard and Expence, when we are called to it; but I know your Reſolution is ſo well grounded, that all I can ſay on this Point is almoſt ſuperfluous. And ſuch a Conſtancy of an honeſt Reſolution, and the Integrity of your blameleſs Converſation, will baffle your Adverſaries more fully than any other Means whatſoever. Let your Application to your Auditors, whether by Homilies, Preaching, or Expounding, conſiſt of Directions to a holy Life, and the practical Duties of Chriſtianity; and you know the beſt Motives to perſwade, and ſtir their Affections in this Caſe, are drawn from the *Quatuor Noviſſima*; and if you can reduce them to Frequent Communion, and due Preparation thereto, as alſo Acts of cordial and extenſive Charity, it would be a bleſſed Work indeed. But pardon, dear SIR, this rude Intruſion of mine, for I find myſelf now ſo far gone beyond my Laſt, that I bluſh at my own Confidence, though I cannot in the leaſt doubt of your Candour.

WELL, SIR, to conclude, when I think of you, I alſo think of your glorious Name-ſake, that great Pillar and Light of the Church, St. *Athanaſius*, the beſt Emblem that the Church ever had of heroick Conſtancy; as his living 4 Months in a dead Man's Tomb, and 6 Years in an empty Ciſtern, do manifeſt; though *Arius* had got his Biſhoprick ſequeſtred to himſelf, and three Emperors ſought the Life of this Prelate, yet he would not (as was ſaid of him) bate them a Syllable.

Nunquam non agnitus innocens, ſæpe damnatus ut nocens,
Sedem maluit mutare, quam Syllabam.

FOR he ſtill would have the SON of GOD acknowledged ὁμόσιον, the *Arians* would have him to be but ὁμοιόσιον. My hearty Wiſh and Prayer is, that GOD may bleſs and aſſiſt you in your Conſtancy, with all the Advantages of a ſanctified Perſecution; that as you are ready to maintain his Truth, to own his Church, and to ſuffer for his Cauſe, ſo you may be ſupplied with ſuch Abilities, Courage, and Support, as ſhall be moſt conducing to his Glory, and requiſite to your Perſon and Condition. I am, *&c.*

L. Jenkins.

Appley, July 30. 1659.

To the Vertuous and Noble Lady A.....

MADAM,

THE Honour of your Son's Tuition being caſt upon me, 'tis probable your Ladyſhip does e're this expect ſome Account of my Charge: I ſhould have written ſooner, but that I feared my Addreſſes would ſeem impertinent, before I could certifie ſomething of the Experience and Hopes I have of the young Gentleman;

tleman: His Nature I am in love with, as being hitherto of a ſweet and tractable Diſpoſition; which, I bleſs God, is ſo improved, that he ſeems to entertain my Admonitions, not only with a fair Compliance, but with ſingular Thanks. This I do the rather mention to your Ladyſhip, becauſe it is a Symptom of his humble Thoughts, and obedient Spirit; wherein will conſiſt a great Part of your Comfort, and a main Security of his own Happineſs. As for his natural Parts and Abilities, before his coming hither, I preſume you have been ſatisfied, by the Informations of far more abler Judgments than mine. The Directions I received with him, I do to the utmoſt obſerve, and inſiſt upon, as moſt proper for his Perſon and Capacity. He is hitherto very punctual to the Hours of publick Devotion, as often as this Place will afford it; and I hope no leſs conſtant to his private Offices, and thoſe other Performances I recommend unto him. For my chief Deſire is, that his Heart may be ſeaſoned with the Principles, and his Affections warmed with the Senſe of practical Piety, rather than his Underſtanding buſied with empty and uſeleſs Notions. For his Studies, 'tis my Care to order them ſo, as thoſe Things may be moſt intended now, which will be moſt uſeful hereafter. He reads commonly twice every Day with me, and attends the publick Lectures of the Place as often as they are permitted, and I hope not unprofitably for the Time. I do not confine him to any one particular Study, leaſt he ſhould be cloy'd, or diſreliſh it. His fortunate Circumſtances, I know, has placed him above the Neceſſity of that; and the Pleaſure and Delight that himſelf ſhall fancy, are the only true Means to engage his Affections to it: And tho' his moral Accompliſhments ought to be the main Deſign of my Endeavours, yet I muſt tempt him with the Pleaſures and Ornaments that his Studies well intended will afford. I hope, in Time, to bring him acquainted with Logick and Philoſophy (the chief Learning of this Place) which if underſtood, will be an excellent Help to manage his Reaſon and Diſcourſe, ſo as to ſpeak concludent to any Purpoſe. He is already dextrous at penning Letters, and expreſſes his Thoughts handſomely, and with Advantage, upon moſt Occaſions; and ſeems to have a pretty good Acquaintance among the choice Books of our own Language, that are fit for his Age. Neither muſt I injure him of his due Commendations, (which I had almoſt forgot to have given him) for his Reſervedneſs and Caution in Point of Company, having not mixed with any, ſince his coming hither, (as far as I can inform myſelf) but ſuch as I do well approve of, both for their Learning and Morality.

Having treſpaſs'd ſo much upon your Ladyſhip's Patience, I ſhall now cloſe with my humble Thanks for your bountiful Salary to me; and tho' my poor Abilities fail of a proportionable Return, yet my beſt Endeavours ſhall not be wanting to inſtruct and further your Ladyſhip's Son, in the Knowledge and Search of thoſe Things, that are requiſite for him to be vers'd in, as a Chriſtian and a Gentleman. I dare almoſt ſay, that your Deſires cannot be greater, than my Ambition, to ſee your Son grow up, and become confirm'd in virtuous Habits, and noble Principles, which are the beſt Accompliſhments, and the only true Breeding: And your Ladyſhip may believe me, that his good Progreſs, and fair Deportment, gives me not a little Satisfaction, as if his own Ambition was not only to anſwer, but to exceed the greateſt Expectations of his Friends.

Where your Ladyſhip may direct your next Letter, when you intend either of us that Honour, I am not able, as yet, to tell; for I perceive that I have already given ſome Offence to thoſe, that have the Inſpection and Government of this Place; and I do expect every Day to be ordered from hence, unleſs I do prevent it, by my own more early and voluntary Retreat. But however Providence ſhall pleaſe to diſpoſe of us, your Ladyſhip may aſſure your ſelf, I ſhall uſe my Endeavours to advertiſe you of it, and to beg your further Commands to him, who is, *&c.*

L. Jenkins.

Oxford, Sept. 7. 1652.

A Letter written to a Gentleman concerning the Engagement.

Sir,

Altho' I cannot be furniſhed here with Aſſiſtances either for Diſcourſe or Reading, which may be neceſſary to ſtate a Matter of Conſequence, even but for your own private and particular Satisfaction; yet to manifeſt how willing I am, to tender ſomething towards the Reſolution of your conſcientious Demand yeſterday, relating to the Engagement, I ſhall offer theſe few Lines (as I could ſteal

ſteal them from my preſent buſy Kind of Employment) to be conſidered of, until you can otherwiſe happily be ſatisfied, by a more exact and mature Judgment.

2. I ſuppoſe it evident, that this Engagement is intended chiefly to make void that Obligation of civil Faith and Allegiance, into which the Natives of theſe Realms entred when they came into the World, by being born Subjects; which Obligation, of higheſt temporal Obedience, hath been abundantly declared, ratified, and acknowledged, by Statutes and Oaths, as due and appertaining by Right of Inheritance, unto the Kings hereof, their Heirs, and lawful Succeſſors; ſo that undoubtedly this Duty was intended, and generally received, as perpetual, during Life; and not that Subjects could lawfully renounce or forſake it, according to their own Pleaſures or Neceſſities.

3. If that Obligation were juſt, as (if any ſuch Thing could be made ſo heretofore) queſtionleſs it was, what Bond or Obligations ſoever ſhall afterwards by other Parties be drawn up againſt it, muſt in good Reaſon be thought unjuſt, and the voluntary ſigning or ſubmitting thereunto unlawful.

4. I have not ſeen or heard (to my Remembrance) any Thing of Subſtance produced, which could overthrow this Truth; ſome fallacious Notions and Shadows indeed, inſolently diſperſed, and too readily taken up, have ſo troubled and darkened it, that our preſent Rulers have reaped great Advantage thereby: But I will offer at no more than what I conceive moſt uſeful for our preſent Purpoſe.

5. You ſtand ſufficiently convinced in Judgment to whom the ſupream Authority of theſe Countries doth rightfully belong, otherwiſe ſure you would not much trouble your Mind, or hazard your Eſtate in the Buſineſs.

6. You may then pleaſe to conſider, That your Allegiance is a civil Right, Intereſt, or Property, which that Soveraign Lord hath in or over your ſelf and yours; then becauſe it is his own, it ſhould be reckoned at his Diſpoſal.

7. Hereunto I muſt add, that whereas of Right he is the Diſpoſer of your Obedience, now at this Alienation of it, (for this Engagement it ſeems means no leſs) I conceive that his Will and Pleaſure ought by conſcionable Men moſt to be regarded, whom it moſt concerns.

8. And hereupon I come to this Iſſue with you, that a juſt Determination of this Caſe is to be derived from the Soveraign's Breaſt; but ſeeing it is not poſſible now to receive from him, in due Time, the Declaration of his Mind, there appears no better Way to proceed, than to frame a Judgment with all Faithfulneſs and Diſcretion poſſible, of what a pious Chriſtian Soveraign would accept or require from his loyal-hearted Subjects in the like Condition.

9. Let it then be ſuppoſed, that their faithful Endeavours in Time paſt for the Preſervation of his Crown, even to the Hazard of their Lives, are duly repreſented to him; together with their conſtant Affection and Reſolution for the like Adventure in Time to come, whenſoever divine Providence ſhall vouchſafe an Opportunity for his Reſtauration.

10. Now, in this Caſe, is it not reaſonable to conceive, that a gracious Soveraign would readily yield unto them any juſt Expedient, lying in his Power, to preſerve ſuch good Subjects from imminent Deſtruction, and to preſerve withal his own Intereſt of their ſeaſonable Aſſiſtance!

11. I ſhall at laſt cloſe with your ſelf; adviſing that you would deal moſt ſincerely with your own Conſcience, and examine it, whether or no this preſent Caſe, for your Part, be not like to that now mentioned? (1.) Whether, according to your bounden Duty, you have been, with your beſt Diſcretion and Abilities, upon all fair Occaſions, affectionately faithful and loyal? And whether you purpoſe, by God's Grace, ſtedfaſtly ſo to continue? Whether you fear a Danger ſo imminent, that in ordinary Courſe you apprehend it unavoidable? And whether ſo great, as may be the Ruin of yourſelf and yours?

12. Upon ſerious and unfeigned Conſideration of theſe Circumſtances, are you reaſonably perſwaded that our gracious Soveraign would ſo far condeſcend to the preſent Exigence, as to grant any meet Royal Favour in his Power towards your Indemnity; in Particular, that he would pleaſe to allow and require you to make a temporary Profeſſion of that Obedience to others, which ought always to be at his Diſpoſal, whereby your Perſon and Eſtate may be maintained in a Condition hopeful to render him good and acceptable Service in happier Times.

13. By this Means, your loyal Obedience ſeems only ſuſpended by him, who hath the ſole juſt Power, from the Exerciſe of it, during this invincible Neceſſity, but in the Ground and Right thereof continues unalienated.

14. And

14. And upon theſe Conſiderations, I apprehend (under the Correction of better Judgments) the ſubſcribing to this Engagement may be tolerable for you, as free from Perjury towards God, and Rebellion towards the King, provided it be done with the leaſt Signification poſſible of your Conſent, or Cauſe of publick Notice; as alſo, that the Soveraign's expreſs Approbation hereof be humbly ſought for, as ſoon as God Almighty ſhall pleaſe to ſend an Opportunity, wherein it may be obtained.

I am with Sincerity.

Diſquiſitions upon the Letter above-written, by Mr. Jenkins.

Dear Sir,

I Should not have adventured to paſs my Judgment on the encloſed Letter, which is writ with Learning, and (I believe) with great Sincerity; but that you think it neceſſary to have ſome further Satisfaction in the Point, or at leaſt you are pleaſed to enquire and command my poor Opinion of it. I ſhall therefore, without any further Apology, freely enter into the Conſideration of it, and heartily wiſh any Thing I ſhall be able to ſay, may at laſt contribute to the Reſolution of your conſcientious Doubts.

Ad. 2. If the Engagement be deſigned to null the Oath of Allegiance, (which yet cannot be done, becauſe that Oath, lawfully taken, deſtroys every Act inductive of any Obligation contrary to the former) I ask, whether I may ſafely comply with the Impoſers, ſo far as to ſubſcribe it; though I be, in the mean while, perſwaded that their Authority is incompetent, and their Method inefficacious to diſoblige me? It ſeems, I may not; becauſe in ſo doing, I come up to their Deſires, and ſatisfie their Expectations; which is ſo far from avoiding all Appearance of Evil, (as St. *Paul* commands) that it is a great Scandal given; *firſt*, To the Impoſers, who are confirmed in their wrong Courſe by my Compliance: *2dly*, To my weaker Brethren, who, it may be, become ſatisfied of the Unwarrantableneſs of the Action by my Practice; whereas I deſign it as a meer Simulation to elude the Impoſers.

Ad. 3. The voluntary ſigning of this Engagement, is confeſſedly unlawful. I demand, whether there can be an unvoluntary ſigning? (1) Whether I can be reduced to ſuch Exigence, as that my Will may be forced to the ſigning of it? 'tis an Axiome in Philoſophy, *voluntas non cogitur*, this Reaſon and Experience do confirm: for otherwiſe, 1. A Man hath no freer Agency than a Block or a Stone. 2. If the Will could be forced, Counſels, Rewards, and Puniſhments, would be propoſed to no Purpoſe. 3. God would be truly reputed the Author of Sin. Tho' outward Force may maſter my Limbs and Joynts, ſo as to meddle with the Matter of a Sin, yet ſo long as my proper Volition does not actuate it with a Form, I am free from the Guilt, becauſe God requires no Impoſſibilities at my Hands. The putting it to my Choice, without I pleaſe to ſubſcribe or to ſuffer Impriſonment, *&c.* implies, that my Will cannot directly receive Impreſſion from Force: And to ſay, I was forced to ſubſcribe, is to ſay, I would not will to ſuffer; yea, an Apoſtate may as rationally plead, that he was compelled by the Threats of a Turk or Pagan, to abjure his Profeſſion of Chriſtianity; unleſs we ſay that which is abſurd, *viz.* The Will may be compelled in and by ſmall Dangers, but not in great; if this may be a lawful Excuſe, all the Martyrs were but Fools, if not *felones de ſe.*

Ad. 4. I wiſh that this prove not a fallacious Notion; if it be, it is too readily taken up, as ſubſervient to worldly Intereſts; and our Rulers have this Advantage by it, that whereas they work upon other Humours (ſuppoſe Presbyterian and Levelling) by other Arguments and Means, they have their Ends compleated upon the Royal Party by this; for they examine not in what Senſe any Man takes the Engagement, it being in all likelihood but a Preamble to an Oath for abjuring Monarchy; which if any Engager ſhould ſtick at, it were but reaſonable to apprehend and deal with him as the more dangerous, becauſe a more cloſe Enemy.

Ad. 6. So far I reckon my Allegiance at my Soveraign's Diſpoſal, as that I am bound to act when and how he ſhall pleaſe to order me, and I conceive, that himſelf or his Miniſters are moſt fit to preſcribe the Subſtance, to regulate the Circumſtances, and to ſuſpend the Performances of my Duty, as ſhall be thought by them moſt Expedient; however, if he, or they, ſhould require me, upon my Allegiance, to commit an Act formally ſinful, (ſuch as I take the ſigning of a ſolemn Promiſe, without a Thought to perform, yea, a Reſolution not to obſerve it in any wiſe, to be) I muſt obey God (whoſe Commands and Threats againſt Lying are peremptory)

remptory) rather than the King: And as the King cannot need any unlawful Means to preſerve his Rights, if he truſt to the Goodneſs and Power of that Providence by which Kings reign; ſo I need not ſhrink patiently, yea, cheerfully to undergo whatſoever Puniſhment may be inflicted upon me, if I can perſwade myſelf that I ſhall be no Loſer by him who ſaith, *Bleſſed are ye when ye are perſecuted for Righteouſneſs Sake.*

Ad. 7. I conceive the Obligation of my Oath to God, is moſt and only to be regarded, until the King's Will and Pleaſure be declaratively manifeſted to us, and his expreſs Relaxation and diſanulling of that Oath, aſſuredly confirmed unto me; otherwiſe to frame a Suppoſition, that the Obligation of that Oath ceaſeth, becauſe it is in the King's Power to remit or ſuſpend it, is it not as if a Man ſhould perſwade himſelf that his Wife is dead, becauſe ſhe is mortal, or far from him, and upon that Ground, without further Evidence or Inquiry, to marry another? Moreover, granting that the King may remit my Obligation, as far as my Allegiance concerns his own Perſon, (for every Man may remit what he pleaſe of his own proper Right) yet the Juriſdictions, Preheminences, Authorities, *&c.* annexed to this Imperial Crown, (which I am ſworn *in terminis* to aſſiſt and defend to my Power) being ſo eſſential to the Preſervation of other Mens Rights; I ask, whether I may in Juſtice, without thoſe Mens Conſent, (ſuppoſe the Lords, or the Members of Courts now abrogated, *&c.*) be inſtrumental, or give my poſitive Conſent to deſtroy their Rights, becauſe the King parts with his own?

Ad. 8. Supposing therefore, but not granting, that the King may diſpenſe with the whole Oath of Allegiance, I ask next, whether it be ſafe for a Man's Reſolution in ſuch a Caſe to be determined upon meer Suppoſitions (though never ſo rationally and faithfully contrived) of what may be? For as without Impiety I cannot contract, ſo without Perjury I cannot wave the Obligation of an Oath. The Oath of Allegiance is not remitted or ſuſpended, as to my Conſcience, in Truth, but in Fancy; if it were in Truth, I ſhould never trouble myſelf to frame Suppoſitions; nor truſt to Likelihoods, if I had Certainty to ground upon. It is not remitted in Righteouſneſs, which giveth to every Man his Right; this Perſwaſion taketh away his own Right from the King and others, without the Conſent of either: And ſurely I muſt not perſwade my ſelf that it is no Sin to rob my Friend, upon Confidence that he will not deal with me according to the Rigour of the Law. Nor can it be remitted in Judgment, for Judgment is ever grounded upon Reaſon rightly concluding, but this Perſwaſion upon Probabilities is in no wiſe convincing.

Ad. 9, and 10. This Expedient is ſinful, and 'tis not in the King's Power to make it juſt; wherefore the King's Intereſt, and his good Subjects, muſt depend upon the Iſſues of God's Providence, which needeth not the Concurrence of ſinful Means to effect our Good.

Ad. 11. I am, and have been faithfully Loyal to my Power; yet I fear this Act will ſtain the Merit of my former Endeavours, and engage me in a Defection from, or at leaſt a Neutrality in my Duty; for what Aſſurance can there be that I will be reſolute to act, that cannot reſolve to ſuffer for the King (I am bound in Conſcience to one as well as the other).

Ad. 12. I cannot be aſſured that the King will take Notice of my Compliance, as deſigned wholly in order to his Service; or that this Compliance (under ſuch an arbitrary Power) will be a likely Means to preſerve me in ſuch a Condition as I propoſe to myſelf.

Ad. 13. Not ſo; but my Allegiance is groundleſly ſuppoſed to be ſuſpended by the King; myſelf firſt fancying a Neceſſity to alienate it, and then to do whatſoever the Uſurpers pleaſe to require at my Hands.

Ad. 14. The Cautions about ſubſcribing will not ſerve to evacuate the Crime, (and ſuch it ſeems to me) it may leſſen the Scandal (ſuch it will prove to others); for if this engaging be a Renunciation of our Allegiance, 'tis not unlike Perjury to ſuch as are ſworn: If it be not High-Treaſon by the known Laws of the Land, 'tis too near of kin to Rebellion: However, I muſt forbear till my Scruples be clearly ſatisfied; becauſe the Doubting and Reluctancy of my Conſcience, renders an Action, though lawful in itſelf, unwarrantable to me. I muſt not think to elude St. *Paul*'s Rule, in pretending a Neceſſity to do Evil, that Good may come thereof; ſeeing 'tis ſafer for me to ſuffer the greateſt Inconvenience, than to commit the leaſt Sin.

Sir, I hope you will pardon the Freedom, as well as Tedioufneſs of this Addreſs, and believe that I am, *&c.*

L. Jenkins.

T.

To the Right Reverend Father in God, George *Lord Biſhop of St.* Aſaph.

My Lord,

I Received the Honour of your Lordſhip's Letter laſt Week, and am ſorry that I had not an Opportunity of giving your Lordſhip that Account and Satisfaction, by way of Anſwer *viva voce*, which is not, I fear, to be brought within the Compaſs of a Letter. Mr. *Griffith*'s Relation to your Lordſhip, is to me ſo highly and juſtly conſiderable, that I ſhall only take the Liberty to repreſent unto your Lordſhip the State of our College, together with my preſent Apprehenſions of that young Gentleman, and then ſubmit myſelf to the Juſtice and Ingenuity of your Lordſhip's Commands.

The College, My Lord, upon my Election, was repreſented to me to be between 3 and 400 *l.* in Debt; but I wiſh it proves no more. However, I have not yet waded through all Matters of Account, ſo as to be able exactly to ſtate our Condition to your Lordſhip; yet it is moſt certain, that until we do extricate ourſelves out of this Debt, the College will be under a double Inconvenience; the one, that we muſt be at the Mercy of thoſe who truſt us with Proviſions, as to their fair Dealing; the other, that none will advance any Thing to us by way of Contribution or Benevolence, becauſe they will not care to pay off the Debts, that thoſe who were here (only by right of the Sword) have contracted, and caſt upon us. And for me to enter upon new Elections, before I know the State of the College, which I have Reaſon to fear is not well able to pay the Members that are already ſtipendary, (much leſs to pay off any conſiderable Part of our Debt) would be a Way very unlikely, if not impoſſible, to eaſe the College of its Burthens, ſince we have no other viſible Means to do it, but our ſmall yearly Revenue, which comes in with great Defalcation and Slowneſs.

Besides, My Lord, this College having ſometimes flouriſhed, to the great Advantage of our Church and Country, and being now under a Cloud, there is no Means imaginable for me to retrieve its ancient Diſcipline and Reputation, but in chooſing, for the future, the moſt able, and the moſt likely to carry on the Credit and Service of the College; and indeed the Statutes which I am ſworn to obſerve, direct me to it; *quod quilibet Socius Eligend: ſit de aptioribus & habilioribus, quoad mores & ſcientiam, qui in Collegio aut Univerſitate reperiri poterunt*; and I am determined at all Times moſt religiouſly to obſerve them.

'Tis true, My Lord, I have not had any perſonal Experience, or Trial of your Nephew's Qualification, but being concerned upon this Overture from your Lordſhip, to make an Enquiry into his Capacity every way, I am ſatisfied he is right in his Principles, and blameleſs in his Morals, but as for his *ſcientia*, (which is the other Requiſite) I am informed by thoſe, whom I believe to be no other than ſuch as wiſh him heartily well, that his ill Temper of Body, and the late diſorderly Times, have not allowed him much Opportunity of Study; and conſequently his Competitors (and more than one I am ſure he will meet with) will have thoſe Advantages to overballance, tho' he be allowed all the Grains that can with any Colour of Equity or Juſtice be indulged to a Kinſman of Dr. *Gwin*'s, and ſo near a Relation of your Lordſhip's: I wiſh from my Heart, I may find my ſelf deceived in the Information; however, I dare flatter myſelf with the Hopes of your Lordſhip's Pardon, for my Freedom in his Caſe. I ſhall always, My Lord, moſt readily acknowledge Dr. *Lewyns*, not only for our Benefactor, but for one of the greateſt Preſidents of Primitive Faithfulneſs and Juſtice that I have yet lived to ſee. But the Words of the Deed that inveſt the College with this Benefaction are, (for I have it now before me) that upon every Avoidance, the College ſhall, in their Elections, have the firſt Reſpect to ſuch of the Kindred of Dr. *Gwin*'s, afterwards to ſuch Inhabitants as are, or ſhall be born in the County of *Angleſey*, or in the Dioceſe of *Landaff*, as upon their Examination by the ſaid College, ſhall be found equal with others to be capable thereof; theſe are the Words, and I leave your Lordſhip to judge of their Weight and Obligation.

My Lord, I ſhall crave Leave to add one Word more, and 'tis this, that there is no Man alive that hath a greater Deference for your Lordſhip's Judgment, or more Veneration for your Perſon, than myſelf: Not to mention your high and holy Order, nor yet your Lordſhip's great Capacities, and our great Hopes in Reference to the Good of this poor College. Nay, there is not any one that can promiſe your Lordſhip more unfeignedly than I do, an abſolute Power over me, and a more favourable Regard to any of your Lordſhip's Recommendation; upon Confidence

that you will pleaſe to manage it conſiſtently with my Oath, the Condition of the College, and the Account I muſt give to GOD and the Church of my Charge. And though I am but a poor Drudge in your Nurſery here, your Lordſhip hath too much Piety and Candour, not to own and countenance the Deſires, the Care, and Exactneſs, that I muſt limit myſelf to, in order to raiſe ſuch a Stock of Grafts here, as being tranſlated into the Vineyard of your Lordſhip's Dioceſe, are moſt likely to anſwer the Needs of the Church, and the Expectation of its Governors. Which is the beſt, if not the only Way I have to ſpeak myſelf, as I am with much Sincerity, *&c.*

L. Jenkins.

May 31. 1661.

SIR,

I Am ſorry for the News you write me concerning Sir *William Turner*'s Son, but if the Caſe be not worſe than you relate, I hope he is no Danger of Death. Concerning the Method of Trial, and what you are pleaſed to inquire, whether if the Univerſity do not try the Fact, it will be hurtful to their Privilege, I think not; I have known it practiſed ſome times, that when ſuch a Thing has happened as this, the Univerſity has not claimed a privileged Perſon, but let him be tried ſome time by the City, and at other Times by the Judges of the Common Law, becauſe they will not be at the Charges of the Commiſſion to the Steward, and of bringing him, or his Deputy down, to ſit in Judgment; howbeit, we that are ſworn to defend our Privileges, and privileg'd Perſons, ſhould not forſake them in Reſpect of the Charge. The laſt that I remember, was one *Pideſſey*, the Proctor's Man, who killed one *Marſh*; and he being not able to maintain his own Privilege, and bring down the Steward, was tried by the City Juſtice at the *Guild Hall*, and was hanged. Whereas 'twas thought he had not all the Juſtice he ought to have had, and that if he had been tried by the Univerſity, he might have been ſaved: And before that, Dr. *Dun*, who was then Student of *Chriſt Church*, killed a Boy, and brought down a Commiſſion and the Sub-ſteward, who was then Serjeant *Crook*, and had his Trial by the Univerſity, and was acquitted; and I ever thought it the ſafeſt Way, for a privileged Perſon to be tried at Home, and not by a Foreign Jury. But *Stokes* is no privileged Perſon; but howſoever our Privileges are, if he will, he may be tried upon an ordinary Commiſſion of Oyer and Terminer, and Sir *W. Turner*'s Son too. But I think it very dangerous to try them before ſeveral Judicatories; and I ſuppoſe Sir *W. Turner* is well perſwaded of the Cauſe, that he deſires the Matter to be ſo ſuddenly heard, wherein I would adviſe Mr. Vice-Chancellor to gratifie him: For I think it will not prejudice the Privilege, if it be done, but it will more hurt the privileged Perſons, that they did neglect or refuſe to claim their Privilege, unleſs it were at the Parties own Deſire. The Manner of Dr. *Dun*'s Trial was thus: The Steward ſat in the middle of the Bench, the Vice-Chancellor on his Right Hand, and the Doctors and Maſters ſat round about the Bench in their Formalities: The Trial was in the ordinary Form as in other Courts; only the Jury were privileged Perſons, ſome Maſters of Arts, and other Members of Colleges. Yours,

Auguſt 1664. *L. Jenkins.*

To Dr. Jenkins.

HONOURED SIR,

I Did hope the Difference between the Dean and Chapter, and myſelf, concerning the Repair of our Cathedral, ſhould have been long ſince concluded; but till laſt Week I could not get the Chapter's Conſent to a Reference, which now I ſuppoſe will be brought before this to you. The Bearer hereof, Mr. *Edwards*, one of our Prebends, will be able to give you Satisfaction to any Inquiry about this Buſineſs; and I take him to be ſo honeſt a Man, that (though of the adverſe Party) I am very willing you ſhould believe every Thing he ſays to you. I am extreamly deſirous to put a laſting Period to this Diſpute of ſome Ages, that it may create no further Quarrels between us or our Succeſſors; and therefore beſeech you, SIR, (whom we have made our ſole Umpire and Referee in this Difference) to bring it by the moſt compendious Way through your Court, that it may be capable of my Lord of *Canterbury*'s Confirmation. I have another Requeſt to make to you, in Behalf of a poor Clergyman of my Dioceſe, one Mr. *Williams*, Vicar of *Abergelly*, who very much importunes me to beg your Favour for a Son of his in JESUS College, of ſome Years Standing there, and, as he aſſures

aſſures me, of good Parts and Learning; that by the Addition of a Scholarſhip, or ſome other Encouragement, he may be enabled to maintain him there, for the Improvement of his Studies. This being a Work of Charity, I need urge it no further to you, whoſe Proneneſs to entertain ſuch Motions, hath given me the Confidence of many ſuch Addreſſes, and aſſures me of your Pardon to, SIR, your moſt obliged and affectionate Servant,

Iſaac Aſaph.

Jan. 29. 1673-4.

To Dr. Jenkins.

SIR,

I Preſume by this Time you are returned to College, and therefore I ſend this Paper to bid you heartily welcome Home, and to give you Thanks for ſending me a Copy of that which you ſaid and did at the Creation of the Honorary Doctors. I cannot but commend it highly, as ſavouring both of Skill and Pains, tho' perhaps it was a Work of Supererogation; for I conceive never before any Honorary Doctors, that did not take their Degrees in order to their Profeſſion of the Law, but either to honour themſelves or the Univerſity, were ever created by Tradition of the Book and Ring, *&c.* for in that you have celebrated a Marriage between thoſe that will never come together: But however, *in conferendis honoribus præſtat eſſe prodigum quam parcum*, therefore I cannot but much approve it. You ſhall receive herewith your Commiſſion of Notaryſhip and Subſtitution, to be ſigned by you for Mr. *Exton*, which I pray return at your Leiſure. Your Authority for the Office from the Dean of *Weſtminſter* ſolely, is ſufficient for the preſent; but only if the Dean be removed, as it is probable his own great Worth will e're long call him to an higher See, it does not bind his Succeſſors; therefore I would have it granted from the Dean and Chapter; to which Purpoſe I would have you write a Line or two to the Dean, and I will have a new Patent drawn for that Purpoſe. I am yours,

G. Sweit.

Doctors Commons, Oct. 20. 1663.

To Dr. Jenkins.

SIR,

YOUR Letter occaſioned me to peruſe the Paper I received before from you, and there I find, that one of the Queſtions *inter Comitiales*, was meerly in the Civil Law; whereas they muſt have *aliquod affine* with the Laws of the Land, and not directly oppoſite to the Tenet of the Municipal Laws, as in ſome Caſes it may happen to be: *Ex. Gr. an pœna furti* or *adulterii ſit capitalis*; in both which the Municipal Laws determine againſt the Civil Laws, and the Practice of ſome other Kingdoms. And alſo, *an quis poſſit alienare aut transferre nomina debitorum in alium*; wherein the Civilians hold Affirmatively, the common Lawyers Negatively; they call it *choſe en action*, not improperly, and that they ſay cannot paſs by Deed to another. And this is not unlike it, *an actiones poſſint vendi*, and many others there are, which I need not mention at preſent. I don't remember, that ſince that Statute was made, any ſuch Queſtion was *conſultò* handled, but that may be known by ſearching the Regiſter, what Queſtions were ventilated *in comitiis* from *Anno* 1630 to 1640. And it is not likely the Reſpondent, being a young Man, as he is commonly a Batchelor of Law, ſhould be ſo skilful, as to chooſe ſuch a Queſtion purpoſely. But be it ſo, all the Profeſſor is to do *in comitiis* is, when he comes into his Seat to propoſe the Queſtion, or to have one of the Inceptors to propoſe it to the Reſpondent, and then he is to repeat them, and to ſignifie how he holds them Affirmatively or Negatively. Then the Profeſſor is briefly to ſtate one Queſtion, and ſo proceed to the Creation; and then to appoint the Senior Doctor to diſpute, and the Reſpondent is to anſwer; for after the Creation is paſt, the Profeſſor is to ſpeak no more there. I earneſtly pray you ſpeak no more of any Gift of mine, for I proteſt what you have receiv'd, or are to receive, is leſs than my Deſire, or your Merits. I am, *&c.*

G: *Sweit.*

Doctors Commons, May 14. 1663.

To the Earl of Abingdon.

MY LORD,

IT was very much my Deſire, ever ſince I received the Honour of your Lordſhip's Letter of the 2*d* of laſt Month, to ſpeak upon it to my Lord Biſhop of

of *Oxford*, whom I knew to be then in Town, and ſhould be glad to have a Command from my Lord Biſhop, and the Univerſity, to declare any Thing to his Majeſty in Council, whereby the Town, without Oppoſition, might find their Convenience, and the Univerſity no Inconvenience. I ſhould moſt readily do it, as deſiring nothing more heartily, than the ſettling of a laſting Peace and good Underſtanding between thoſe two Loyal Bodies. Theſe 2 Points about the 8 Aldermen and the 4 Fairs, ſeem to me moſt likely to be yielded to by the Univerſity, with thoſe Limitations mentioned in your Lordſhip's Letter. But I beſeech your Lordſhip to conſider, how neceſſary it is for the Univerſity to have a *Salvo* of all their Privileges, particularly of the Night Watch, in the City Charter now intended to paſs; ſince it hath lately been brought in Queſtion by the Town, to the great Trouble and Expence of the Univerſity, notwithſtanding a ſolemn Judgment in point againſt the Town not long ago obtained in *Weſtminſter-Hall*. Beſides, it is not to be wondred at, that the Univerſity upon this Occaſion hath Recourſe to the Juſtice and Clemency of our moſt gracious King, to be preſerved and ſecured in the Poſſeſſion of the Night Watch, in Regard the very Being of the Univerſity, in Matter of Diſcipline, depends upon the Exerciſe of that Point of Juriſdiction, as it is now practiſed. I ſhould not preſume to preſs this to your Lordſhip, but that it is in my humble Opinion, upon the Inſight I have had into the Univerſity's Charters and Records, that the Night Watch is the Univerſity's, by many ancient and modern Grants, confirmed by conſtant and uninterrupted Uſage and Poſſeſſion; and that that Watch, as it is claimed and exerciſed by the Univerſity, is well conſiſtent with the Watch and Ward that the City claims to belong to it, as a Borough, by the Common Law of *England*. And this the Decree in King *James*'s Time doth explain and ſettle; a Tranſcript of it, as far as it concerns this Controverſy, I take Leave to incloſe to your Lordſhip, to the End you may pleaſe to beſtow ſome of your judicious Thoughts upon it. My Lord Biſhop of *Oxford* gives me to underſtand, that my Lord Keeper, when he ſpoke with him, ſeem'd to like the Propoſal which he had made, *viz.* That the *Salvo* ſhould be worded as it was ſtated in the Determination by K. *James*. I hope your Lordſhip will find no Reaſon to oppoſe that *Salvo*, ſince the Univerſity deſires no more but to continue as they are; and that they will always have a true and faithful Reſpect for your Lordſhip, as becomes their Loyalty to the King, whoſe Service they ſee you ſo heartily to intend, and ſo eminently to promote. I am, *&c.*

L. Jenkins.

Hammerſmith, May 10. 1684.

M^r. Vice Chancellor, *Lond. July* 18. 1664.

THE Return you ſent was yeſterday put into Court, and upon the reading of it, as I remember, theſe Objections were taken to it. 1. That it was in the Chancellor's Name, whereas the Writ was directed to the Judge of the Court. 2. That the Cauſe was not particularly enough expreſſed. 3. That the Privileges there claimed were unreaſonable, as that it ſhould extend to all Places of *England*, and that it ſhould be of all Pleas, *&c.* except Freehold, *&c.* 4. That it pretended to be a *Superſedeas* to that Court. To the 1*ſt* it was anſwered, That the Chancellor was the Judge of the Court, and that others acted but as his Subſtitutes in his Abſence, and all Proceſs and Sentences were in his Name. To the 2*d*, That *actio injuriarum & damni dati*, was the Style of the Action in this Court, and anſwering to an Action of the Caſe at Common Law. To the 4*th*, That it was only a Prayer that the Court above would ſuperſede their Writ. In all which the Court, I think, was ſatisfied; but as to the Words of the Charters, though they were ſhewn to be confirmed by Acts of Parliament, and made as effectual, as if *verbatim* recited; and though it was not denied, but the Words of them did fully reach the Caſe, yet, I know not why, the Court inſiſted to have the Body of the Defendant, and made a Rule that a new *Habeas Corpus* be iſſued out, *ſub pœna* 200*l.* and Cauſe to be ſhewn next *Thurſday*, why an Attachment ſhould not go againſt the Judge of the Court, meaning Dr. *Jenkins*. Now I ſhall not preſume to interpoſe my Advice, but what was ſuggeſted in Dr. *Jenkins*'s Letter to me, *viz.* That he thought there would appear Cauſe enough upon the Merits of the Matter, and the Want of proſecuting by the Plaintiff to diſmiſs the Cauſe in your Court, and ſet the Party at Liberty, I think may be a good Expedient; and I wiſh the Courſe he adviſed had been taken ſooner, for the Contents of the Libel to me do not ſeem a good Ground of an Action; ſo that I believe, if the Defendant do but appear,

and

and alledge the Inſufficiency of it, the Cauſe may be diſmiſſed without further Trouble; and therefore whether you may not think fit to do ſo, by calling a Court before further Proceſs come down, I ſubmit to your Conſideration, and am yours,

John Wallis.

To Dr. Jenkins.

SIR, *Oxon, Octob.* 31, 1667.

THE Cogniſance of all perſonal Actions whatſoever, (Maim and Felony only excepted) where a Scholar, or Scholar's Servant is a Party, hath as well by Preſcription as by Grant, belonged to the Chancellor of the Univerſity of *Oxford*; and this hath been thought ſo neceſſary for the well Government of the Univerſity, that at leaſt from K. *John* downwards, it hath been granted and confirmed by almoſt every King and Queen that hath reigned; and ſtill as any new Objections or Evaſions did ariſe, new Clauſes were inſerted to obviate or explain them. As in K. *Henry* III. Time, in a Concurrence of Privilege (the Conſtable of the Caſtle of *Oxon* pretending an Exemption of the King's Jews, as under the King's ſpecial Protection) it was firſt found by Verdict, and afterwards ſolemnly adjudged, that the Univerſity's Privilege was to have the Preference; and afterwards the ſame was inſerted by particular Words in other Charters. In *Ed.* I. a Scruple was made, becauſe the Privilege was not claim'd before *imparlance*, and thereupon a ſpecial Writ was directed to the Juſtices of the King's Bench, to allow the Privilege notwithſtanding; and in following Charters was inſerted the Clauſe, *tam in cauſis jam pendentibus quam poſtea inchoandis.* In the Caſe of Prohibitions, it is particularly granted, that the Chancellor ſhould proceed *non obſtantibus prohibit: regiis*, by Charters of *Hen.* III. *Ed.* I. II. III. and ſo downwards; and the like for other Writs whatever from Superior Courts, the Chancellor is not to be moleſted in the Exerciſe of his Juriſdiction, but to proceed notwithſtanding; and many ſuch Proceedings have been allowed, as you may find by the Preſidents and Inſtances hereunto annexed. As to the Objection, that no Privilege is to be allowed againſt the King, it is provided againſt by that Clauſe, *etiamſi tangat nos hæredes vel ſucceſſores noſtros vel miniſtros noſtros quoſcunq*; in the Charters of *Hen.* IV. and *Hen.* VIII, *&c.* which hath been ſo ſtrictly obſerved formerly, that the Chancellor hath been allowed his Claim of Cogniſance in his own Caſe, (as in Dr. *Chares*, in the Reign of *Hen.* VI.) upon an Indictment in K. B. for an Aſſault on a Marſhal of the Court, executing a Writ of that Court (it ſeems) on a privileged Perſon. And by the Charters of *Ric.* II. *Hen.* IV. *Hen.* VIII. *&c.* all Judges, Juſtices, and Miniſters whatever, are required not to intermeddle; and in caſe they ſhould intermeddle, yet to ſurceaſe upon the Chancellor's Monition, or Intimation. When it was a Queſtion, whether Grants in general Terms, without particular Enumeration, would be concluſive; to obviate this, in the Charters of *Ric.* II. *Hen.* IV. *Hen.* VIII, *&c.* are very large Enumerations, both of Cauſes, Judges, and Courts, cloſed with general comprehenſive Words, and that Expreſſions in general Terms ſhould be interpreted as valid, as if more particularly expreſſed and recited, and that the Words and Clauſes ſhould be interpreted moſt ſtrongly in Favour of the Univerſity: And leaſt all theſe Privileges might be thought not grantable by Charter, or the ſole Authority of the King, they are by Act of Parliament, 13 *Eliz.* not only confirmed, but Enacted to be as valid in Law to all Intents and Purpoſes, as if the ſaid Charters were *verbatim* recited in that ſaid Act; and the Subſtance of thoſe Privileges, tho' not in ſo full Words, have been by former Parliaments granted, as in the Times of *Ed.* II, *&c.* and unleſs theſe Rights be allowed us, the Government of the Univerſity cannot ſubſiſt. The Vice Chancellor's Officers cannot arreſt a Perſon, or execute a Writ, but they are preſently ſued for it in the Courts above; and though perhaps it be but a Matter of 40 *s.* it ſhall coſt the Univerſity as many Pounds to defend their Juriſdiction *toties quoties.* The Towns People always countenancing all vexatious Actions of this kind, and frequently bearing the Charges of them. Eſpecially ſince my Lord Chief Baron *Hales* refuſed to allow Mr. *Wilkins* his Privilege in the Exchequer. In Confidence of which Preſident, they now lay their Actions in the Exchequer; of which kind there are ſeveral there now depending. Particularly that of *Prince* againſt *Litchfield*, and *Powis* by *quo Minus*, for arreſting *Prince* upon the Vice Chancellor's Warrant, and impriſoning him till he put in Bail to anſwer. And *Fiſh Lyne* ſupported by the Town at this Time, moleſting the Vice Chancellor and Proctors, and queſtioning their Juriſdiction againſt him for Tipling and Noctivagation,

tion, and many other Inſtances of like kind. So that if ſuch vexatious Proceedings receive Countenance above, it will be impoſſible to preſerve either the Juriſdiction, or good Government of this Place, in any tolerable Order. It having already coſt the Univerſity, within theſe few Years ſince his Majeſty's Return, ſome hundreds of Pounds, to defend themſelves againſt theſe vexatious Actions. And for preventing of which, the Care of our Princes hath been in former Times ſo great, as to fence our Juriſdiction againſt it by all Means imaginable. It being of that great Concern, that the Governours of the Univerſity, who are intruſted with the Education of the Youth of the whole Nation, might be in a Capacity to keep this Place in Quietneſs and Order, and to prevent Wickedneſs and Debauchery. And that which is aimed at by *Prince* is ſuch a notorious and publick Injury, as we hope no reaſonable Perſon, or Court of Juſtice, can think fit to countenance it. The Townſmen making it their Buſineſs to ingroſs all Trade, that they may ſell at exceſſive Rates; nor will ſuffer any Foreigner (no, nor Citizen, if not free of their pretended Corporation of Mercers) ſo much as to ſell in open Market, any Commodities which they call Mercery Wares, which they extend from Linen and Woollen Cloaths, Stuffs and Silks, even to Mouſe Traps and dark Lanthorns. And whoſoever ſhall ſell thereof, they vex by Threatnings, Suits, Arreſts, Informations, Indictments, and all the vexatious Ways they can imagine. And for arreſting one of their Serjeants for throwing down a Foreigner's Wares, and ſpoiling them, for being expoſed in open Market to ſell, is the Cauſe of *Prince*'s Action; which we hope will appear to be ſo unreaſonable, as not to find any Countenance or Allowance. And though in one Caſe the Chief Baron did refuſe the Plea of Privilege, becauſe then we had not Preſidents ready to ſhow, that it had been allowed in the Exchequer againſt the King's Debtor, as they call it; yet we hope, ſince our Charters are ſo full, and ſuch Privileges have been formerly allowed, when his Lordſhip ſees ſo juſt a Claim derived to us, by ſuch Numbers of Royal Grants and Confirmations, (though it muſt be confeſſed they have not met with the ſame Succeſs at all Times, or in all Places) that he will think fit for the future to allow them to us. This is ſomewhat, SIR, of what may be properly urged on our Behalf, why *Prince* ſhould not be countenanced in ſuch vexatious Proceedings; the reſt, I doubt not, will be fully ſupplied by yourſelf. I am, *&c.*

John Wallis.

To Dr. Jenkins.

SIR, *Oxon, Octob.* 27. 1667.

I Thank you for the judicious Hints you was pleaſed to impart to me in your Letter of yeſterday, they have been very ſerviceable to me in my Searches, and are a freſh and convincing Proof to us, how much your Thoughts and Inclinations are for the Service of the Univerſity. But I do not find that there was any Compoſition made between the Univerſity and Town, *Anno* 3 *Ed.* III. as your Letter to Mr. Vice Chancellor intimates: But *An.* 22 *Ed.* III. there was ſome ſuch Compoſition, of which I have found the Original in *French*, and have here ſent you a Copy of it, which I can atteſt to be true, having written and examined it myſelf. That which therein doth moſt concern our preſent Buſineſs, is the Acknowledgment of the Town, that the Chancellor hath Cogniſance of Townſmen, as well as Scholars, and *ex officio*, as well as at the Suit of the Party, and particularly in Diſturbances of the Peace, and in Matters which concern the Univerſity, as an Univerſity; in which Caſes they are bound to appear in Perſon, and not by a Proctor; in other Caſes indeed they may conſtitute a Proctor if they pleaſe, ſave where the Chancellor, for ſome juſt Reaſons, ſhall ſee Cauſe to require a perſonal Appearance. But upon what Occaſion this Compoſition was made, I cannot tell, nor do I yet find the Petition you mention, of the Townſmen to the Univerſity. I remember ſomewhat to that Purpoſe, in a Buſineſs concerning the Mercate, as Picage and Stallage, *&c.* But I take it to be about *Hen.* VI. his Time; and I believe the like was about 26 *Ed.* I. for there was then a Conflict between the Univerſity and Town, and afterwards a Compoſition. For Preſidents of Privilege in the Exchequer I have two of *Cambridge*, one of *J. Pooley*, upon an Information about Card-making, *ex libro ordination. Scacc. de term. Hill.* 7. *Feb.* 24. *Eliz.* The other of *J. Barker*, upon an Information about ſelling of Wines above the Value diſmiſſed upon a Privy Seal. *Hill.* 28 *Eliz. rot.* 125. *ex parte Remem. Reg. in Scc.* and yet the Barons of the Exchequer are not more particularly mentioned in their

their Charter than in ours, as may be ſeen in *Jo. Lilly*'s Caſe, *Hill.* 1656. *in Ban. Com.* where the Univerſity's Plea was allowed after *imparlance*. This in haſt from yours, *&c.*

John Wallis.

To the Biſhop of Oxford.

My Good Lord, *May* 16. 1684.

My Lord Keeper told me, that the City of *Oxford* are reſolved not to admit of any Mention of the Night Walk in their New Charter, and that they will betake themſelves to their other Alternative, *viz.* To take a new Charter without their new Aldermen or their Fairs in it: What occurs to me ſince upon it is, that the Univerſity hath already accepted of that Expedient, which my Lord Keeper had taken upon himſelf to ſatisfie the King, they ought to enter into, and acquieſce in: And I hear they have receiv'd an Expreſs from my Lord *Abingdon*, by which they were directed to wave all Arbitration, and to inſiſt upon the Alternative, to have their old Charter renew'd, as without any new Conceſſions to them, ſo without any other *Salvo* to us than that in K. *James*'s Charter. His Letter I carried next Morning to *Hampton Court*, and went with my Lord Keeper to the King, and acquainted him with the whole Matter. It was my Lord Keeper's Advice to the King, to let Things paſs juſt ſo, and to renew them their old Charter, without the Addition of any Thing new, if I had nothing to ſay againſt it, the Univerſity, in the Oppoſition they firſt made, having pretended no other than to ſet aſide thoſe new Privileges that the Town asked by their Petition. There was one Thing my Lord Keeper told me further upon this Occaſion, upon which I deſire your Lordſhip's Reflexions, which was, that the Univerſity had yet one Way left to ſecure their Night Watch, far better than by any *Salvo*, *viz.* that the King ſhould be pleaſed to direct his Writ of *Quo Warranto* againſt the Univerſity, to ſhew by what Authority they claim this Uſage of the Night; and then that Mr. Attorney, upon ſo full a Proof as we think we are able to make, could not but confeſs it Judicially: Though nothing falls from my Lord Keeper, but with great Judgment and Knowledge, yet I ſhall not carry this Propoſition to the King, till it is throughly digeſted and conſider'd. The greateſt Objection that I have yet to it is, that it looks too much like a Trick, or a Piece of Legal Covin. Beſides, I do not ſo well know, whether the Form of Common Law may not admit a third Party (the City of *Oxon* for Inſtance) to come in, in Aid of the King againſt this Privilege, and ſo hinder the Attorney to confeſs till they be heard for the Townſmen, who pretend to be exempt in this Point from the Power of the Vice-Chancellor; which if my preſent Apprehenſion, or rather my Conjecture, happens to be right, will make it both tedious and expenſive to the Univerſity, and conſequently not anſwer the End propoſed. I am, My Lord, *&c.*

L. Jenkins.

To the Reverend Dr. Parry, *Dean of* Chriſt-Church *in* Dublin.

Sir, *May* 2. 1669.

My Return had not been thus ſlow, had not my good Friend your Brother promiſed to call for my Anſwer. I have ſhewed the Caſe which you was pleaſed to ſend me, to Sir *Giles Sweit* Dean of the Arches, for whoſe Judgment and Experience all Men here have a ſingular Deference and Veneration; and I ſhall crave Leave to return you this Anſwer in his Name as well as in my own, *viz.* That there are many Cauſes of Appeal out of that Kingdom, whereunto both he and I have the Honour to be called by his Majeſty's Commiſſion; therefore dare not give any Opinion upon the Merits of this Cauſe, leaſt it may happen to come before us, among others, upon Appeal. But if we were at Liberty, we think it a very unſecure Thing, and will be as little to your Satisfaction, for us to pronounce, in a Caſe whereof we have not the Merits *per extenſum*, and ſome Proſpect into the Quality and common Repute of the Parties principal, and the Witneſſes of the one Side as well as of the other, tho' poſſibly they may ſtand without Exception in the Proceſs. I am, *&c.*

L. Jenkins.

The Commiſſary of Canterbury*'s Plea in Behalf of his Claim to the Prerogative Wills and Adminiſtrations of and within that Dioceſe.*

IT will be confeſſed on both Parts, that the Fountain whence this Prerogative is derived to, and upon both him and the provincial Commiſſary, is the Archbiſhop of *Canterbury*; who, among other Rights and Privileges of his See, hath *Sede plena*, as the Dean and Chapter have *Sede vacante*, an undoubted Right to the proving of all Wills, and the granting all Adminiſtrations, of ſuch as dwell and die within the Province of *Canterbury*, and at their Death leave *bona Notab. in diverſ. Dioceſ. &c.* In full Poſſeſſion whereof they have clearly been for 450 Years and upwards: Within which Time, although it have been ſeveral Times impugned and queſtioned by the Suffragans, both before the King and the Pope, (as in *Peckham*, *Moreton*, and *Warham*'s Time) yet hath it always obtained, and *in contradictorio judicio* prevailed.

IT muſt likewiſe be granted and confeſſed on each Part, or if not, may be eaſily proved on the Dioceſan Commiſſary's Part, that anciently, and for many Succeſſions, the Archbiſhop did reſerve the Exerciſe and Execution of this Power and Right *per totam provinciam* to himſelf immediately, *Sede plena*; and the Prior and Chapter alſo did to themſelves, *Sede vacante*; not delegating it by Patent or Commiſſion to any peculiar Judge; only in Caſe of Difficulty, or Conteſt, calling to their Aid and Aſſiſtance, eſpecially in the taking and auditing Accounts, their *Cauſarum Auditores*, or ſome ſuch like Domeſtick Judges, who always attended and followed their Perſons, for their Directions in the Formalities of Law. And at length were, as ſometimes the Vicars General, ſometimes the Dean, nay, and ſometimes the Regiſter of the Arches; now one, then another of them, delegated and impowered by the Archbiſhop, when eſpecially *in remotis*, or indiſpoſed, either by Sickneſs or ſome important Diverſion, to ſupply and act for them as their Commiſſary.

THAT in Proceſs of Time, and whilſt the Exerciſe of this Prerogative was yet for the moſt Part in the Archbiſhop's own Hand, and before his Erection of a ſtanding conſtant Prerogative Court and Office, *viz.* * For 260 Years paſt and upwards, the Archbiſhop conſulting not only his own Eaſe from this Trouble, but the Eaſe and Benefit alſo of the Subjects of his own peculiar Dioceſe, from whence his Dignity is denominated, and for ſome Improvement of his Commiſſaryſhip there, both in Point of Honour and Profit, thought fit to grant what his Succeſſors thought as fit to continue to his Dioceſan Commiſſary, ſo much of this Prerogative as might concern the Dioceſe. For in the Year 1458, the then Archbiſhop Cardinal *Bourgchier*, granting to *David Blodwell* a Patent for the Commiſſaryſhip of *Canterbury*, gave him therein expreſs and ſpecial Power for the Exerciſe of this Prerogative within the Dioceſe of *Canterbury*; witneſs the Prerogative Clauſe therein now extant.

* *Aſcribed to Archbiſhop* Dene, *in* Hen. VII. *ſince* 1502.

BUT this was not the Riſe or firſt Beginning of the Dioceſan Commiſſary's Power in this reſpect; for albeit this be the firſt regiſter'd Patent of that Nature, yet that it was on Foot before, and alſo by ſpecial Deputation and Warrant from the Archbiſhop for the Time being, will clearly hence appear; that from the Year 1400 downwards until *Blodwell*'s Time, a Multitude of Prerogative Wills are found to have been proved by and before ſeveral Commiſſaries of *Canterbury*, as ſpecially impower'd for it (for ſo the *probat* runs *in terminis*) by the Archbiſhop; amongſt the reſt, the Will of one Judge *Martin*, (an eminent Perſon) about which Archbiſhop *Chichley* 1436, being, by his then Commiſſary of *Canterbury*, conſulted, in Reference to a Paſſage or Clauſe in the Will, of ſome Tendency to the Prejudice of Eccleſiaſtical Juriſdiction, he called not away the Will from his Commiſſary as from an incompetent Judge, but expreſly order'd him to proceed in proving of it, excepting only that derogatory Clauſe which he order'd to be expunged.

AND every one that has ſucceeded that Commiſſary *Blodwell*, have had the Prerogative Clauſe in their ſeveral Patents, ſo did they from Time to Time accordingly practiſe, whereof their Regiſter Books are copious in Examples: Both which, (Patents and Uſage) upon full Hearings before Four ſeveral Archbiſhops, (*Whitgift*, *Bancroft*, *Abbot*, and *Laud*) being produced and pleaded in Juſtification of the Commiſſary of *Canterbury*'s Claim in this Caſe, they have ever been allowed, and the Commiſſary warranted to proceed: Not indeed by any Order in Writing, which was conceived needleſs, in Regard he had *jus ſcriptum* for it by his Patent; which every

every Archbiſhop, ſince the firſt Diſpute about it, hath renewed and reinforced, and wherewith conſtant Uſage, Practice, and Preſcription, have ever ſince concurred. Nor have thoſe Emiſſaries from the Prerogative Court at *London*, or their Apparitors, been permitted to range about in this, as in other Dioceſes; but as one *Dabbs* by Name, in Archbiſhop's *Laud*'s Time, was no ſooner ſent Abroad, but upon Complaint to the Archbiſhop called Home and ſuppreſſed.

If it be objected, that the Archbiſhop hath not, nor can have but one Prerogative, it is confeſſed; nor doth the contrary hence follow; for the Dioceſan Commiſſary exerciſeth no *divers*, or other, but one and the ſame Prerogative, and by the ſame Authority, with the Provincial. Herein only do they differ, that the Provincial exerciſeth it generally *per Provinciam*, the Dioceſan only particularly *per Diæceſin tantum*. And that not *privativè* neither, but *cumulativè*, (as it is with the Arches and Audience Courts of concurrent Juriſdiction) granting the Provincial to have a like and equal Power with him in this Particular. So that if by Prevention, (as in like Caſes of Concurrency) he have Priority of Poſſeſſion, the Dioceſan Commiſſary ſits him down contented and deſiſts. Upon which Account (that both Judges exerciſe but one and the ſame Prerogative) it comes to paſs, that when two Adminiſtrations, as ſometimes have been on Foot, the one from *Canterbury*, the other from *London*, that from *Canterbury* having the Start and Precedency in Point of Time, hath, *eo nomine*, upon a Trial at Law, obtained and taken Place of the other.

If hereupon it be objected, that Inconveniencies may (as indeed ſometimes there do) follow this Concurrency, the Remedy is humbly referred and ſubmitted to his Grace, with Hopes that it may be, by abridging rather of his Provincial Commiſſary, (by laying ſome Reſtraint on the Generality of his Power, in Behalf and Favour of the Dioceſan) than of the Dioceſan, whoſe Place and Juriſdiction is ſcarce worth the Execution, either to Judge or Regiſter, without it; and by the Loſs whereof, that other End and Deſign for the firſt granting of it to him, *viz.* the Eaſe and Benefit of the Subjects of his Grace's peculiar Dioceſe, will be defeated.

If this be not feaſible at preſent without Conſent, yet upon the next Vacancy of the Provincial Commiſſary's Place, it will. For then (as before the Erection of that Court) it will be in his Grace's Power to ſet what Bounds he pleaſes to the Power of the ſucceeding Judge, by an Exception of his peculiar Dioceſe out of his Patent, or by calling back the Power into his own Hands, and dealing it out to as many Commiſſaries as he ſhall ſee good. In the mean time, for preventing much Diſorder and Inconvenience, by the two Commiſſaries interfering one with another, may his Grace be pleaſed ſo to order the Matter between them, that which of them ſhall be firſt poſſeſſed of the Matter, (whether a Will, or an Adminiſtration) he ſhall forthwith give Notice of it to the other; upon which Notice, the other to forbear intermeddling, and to leave the Matter *prius occupanti*.

To his Grace the Lord Archbiſhop.

My Lord, *Canterbury, March* 29. 1668.

Being in this City, and in my Way to the Cinque Ports, about ſome Admiralty Affairs, by his Royal Highneſs's Command, I cannot but take Notice, that the Conventicles here are ſtill very open and daring, notwithſtanding his Majeſty's late Proclamation; which, it ſeems, hath not yet been publiſhed in this City to this Day. There were above 300 People at a Meeting aſſembled here this Forenoon, and as many in the Afternoon: The Work was managed by Four Nonconforming Miniſters, three of whom were ejected long ſince out of Cures in this Town, and ſtand convicted according to the Statute againſt their reſiding in Corporations. How the Proclamation comes not to be publiſhed here, as it is in the Neighbouring Towns, I cannot certainly learn; but Mr. Mayor, as I am informed, has declared, he will not publiſh the printed Copies that are here in private Hands, nor will act in Purſuance of them, till he does receive a Proclamation with a Writ in the uſual Way. My Lord, I do not take upon me to offer my poor Reflexions on the Conſequences of this Caſe, and how prevailing an Example this City may be to other Places of your Dioceſe, if it is ſuffered to continue undiſturbed: But when I conſider your Grace's Zeal for, and Intereſt in the Honour and Peace of his Majeſty's Government, and your great and conſtant Vigilance over this particular Dioceſe, I think it my Duty not to ſuffer a Matter of Fact

of this kind to eſcape your Grace's Notice, that your Grace may make ſuch Proviſions, as to your great Wiſdom ſhall ſeem meet; and apply ſuch proper Remedies, as may be for the Honour of his Majeſty, and the Security of the Publick Peace. I am, *&c.*

L. Jenkins.

To Dr. Jenkins.

SIR, *Lambeth-Houſe, June* 8. 1669.

AFTER my hearty Commendations, *&c.* you cannot chooſe, as well as I, but be alarm'd on all Hands, with continued Reports of the Frequency of Conventicles, and unlawful Meetings of thoſe, who, under a Pretence of Religion and the Worſhip of God, ſeparate from the Unity and Uniformity of GOD's Service, to the great Offence of all, and Fear of many, his Majeſty's moſt faithful Subjects, who love and truly endeavour the Peace and Proſperity of the Church and State. His Majeſty in Publick lately ſpeaking much againſt theſe diſorderly Meetings, and expreſſing an Indignation againſt all Reports of him, as if he either favoured or connived at them, was pleaſed (after he had laid ſome Blame upon the Biſhops, for want of Care in this Affair) to declare, that henceforward they ſhould not want the Aſſiſtance of the Civil Magiſtrate to ſuppreſs them: Inſomuch, that if hereafter any Biſhop ſhall complain to any Juſtice, and require his Help; if ſuch Juſtice do not his Duty therein, then let the Biſhop certifie, that his Majeſty may know who they are that neglect his Service.

Now, SIR, that I may diſcharge my Duty in my particular Dioceſe, I do hereby deſire and require of you, that having communicated this my Letter to the Reverend Dr. *Sancroft*, Dean of St. *Paul*'s, and Archdeacon of *Canterbury*, you conſult him for his Advice thereupon; and that by the Aſſiſtance of him, and your Officials and Officers, and all and every the Parochial Miniſters, Parſons, Vicars, and Curates, and by all other Perſons and Means which ſhall be thought beſt, you will make ſpeedy Inquiry throughout my Dioceſe, as well in Places exempt as not exempt, what and how many Conventicles, or unlawful Aſſemblies, or Church Meetings, are held in every Town and Pariſh? What are the Numbers that uſually meet at them? And of what Condition or Sort of People they conſiſt? And from whom, and upon what Hopes they look for Impunity?

WHEN any ſuch Conventicles are found out, if by the Eccleſiaſtical Power and Authority they cannot be reſtrained, you are to complain to the next Juſtice or Juſtices of the Peace; and if they fail to aſſiſt, it will be your Part to certifie their Neglect: Which if at any Time there ſhall be Cauſe to do, be ſure your Certificates be made upon good and true Grounds, ſuch as may be evidently proved, that there be no Failing when we expect Redreſs.

THESE Things you are deſired to put in ſpeedy Execution, and with all Diligence to make your Returns to me; whereupon you ſhall receive further Advice and Inſtruction. And ſo I bid you heartily farewel, and am, *&c.*

Gilb. Cant.

POSTSCRIPT.

SIR, To the Enquiries about Conventicles, (in the Body of my Letter) I think fit that theſe two following be added; and I do deſire, that, together with the reſt, they may be enquired into, *viz.* Whether the ſame Perſons do not meet at ſeveral Conventicles, which may make them ſeem more numerous than indeed they are? And whether you do not think, they might be eaſily ſuppreſſed by the Aſſiſtance of the Civil Magiſtrate? The greateſt Part of them being (as I hear) Women, Children, and inconſiderable Perſons.

G. Cant.

Right Worſhipful Mr. Commiſſary and Reverend Mr. Archdeacon,

IT having pleaſed his Majeſty and the Two Houſes of Parliament, out of their pious Care for the Welfare of this Church and Kingdom, by making and publiſhing the late Act for preventing and ſuppreſſing Conventicles, to lay a hopeful Way for the Peace and Settlement of the Church, and the Uniformity of GOD's Service in the ſame; it becomes Us the Biſhops, Eccleſiaſtical Judges and Clergy, as more particularly ſenſible of the good Providence of GOD, to endeavour, as much as in us lies, the promoting ſo bleſſed a Work: And therefore having well conſider'd what will be proper for me in my Place to do, I have thought fit, and

and do hereby recommend unto you, as my Commiſſioners, jointly and ſeverally, thoſe Counſels and Methods, which I deſire that in my ſtead throughout my particular Dioceſe of *Canterbury*, as well in Places exempt, as not exempt, you will purſue: And which I have alſo, by my Letters, given in Charge to all the reſt of my Brethren, the Biſhops of my Province, being thereunto encouraged by his Majeſty's Approbation, and expreſs Direction in this Affair.

In the firſt Place therefore I adviſe and require you, that you call before you not only all Officials, Regiſters, and other Eccleſiaſtical Officers within my Dioceſe; but that alſo by ſuch Means, and at ſuch Places as you ſhall judge moſt convenient, you aſſemble before you, the ſeveral Parſons, Vicars, and Curates of my Dioceſe and Juriſdiction, within their ſeveral Deaneries, and that you impart unto them reſpectively, as they ſhall come before you, the Tenour of theſe my Letters, requiring every of them, in my Name, that in their ſeveral Capacities and Stations, they all perform their Duty towards God, the King, and the Church, by an exemplary Conformity in their own Perſons and Practice, to his Majeſty's Laws, and the Rules of the Church in this Behalf.

2*dly*, I adviſe, that you admoniſh and recommend to all and every of the Parſons, Vicars, and Curates, within my Dioceſe and Juriſdiction, Strictneſs and Sobriety of Life and Converſation, checking and puniſhing ſuch as tranſgreſs, and encouraging ſuch as live orderly; that ſo by their Vertue and religious Deportment, they may ſhow themſelves Patterns of good Living to the People under their Charge. And next, that you require of them, as they will anſwer the contrary, that in their own Perſons, in their Churches, they do decently, ſolemnly, and devoutly perform the Divine Service, by reading the Prayers of the Church, as they are appointed and order'd in the Book of Common Prayer, without adding to, or diminiſhing from the ſame, or varying either in Subſtance or Ceremony, from the Order and Method which by the ſaid Book is preſcribed; wherein I hear, and have Reaſon to be afraid, too many do offend; and that in the Time of ſuch their officiating, they ever make Uſe of, and wear their Prieſtly Habit, the Surplice and Hood. That ſo by their due and reverent Performance of ſo holy a Worſhip, they may give Honour to God, and by their own Example, inſtruct the People of their Pariſhes what they ought to teach them in their Doctrine.

3*dly*, Having thus counſelled the Eccleſiaſtical Officers, and the Clergy of my Dioceſe, in their own particular Duties, you are further deſired to recommend unto them, the Care of the People under their reſpective Juriſdictions and Charges; that in their ſeveral Places they do their beſt to perſwade and win all Nonconformiſts and Diſſenters into Obedience to his Majeſty's Laws, and Unity with the Church: And ſuch as ſhall be refractory, to endeavour to reduce by the Cenſures of the Church, or ſuch other good Ways and Means, as ſhall be moſt conducing thereunto. To which End, I adviſe that all and every of the ſaid Eccleſiaſtical Judges and Officers, and all and every of the Clergy of my Dioceſe, and the Churchwardens of every Pariſh, by their reſpective Miniſters, be deſired, in their reſpective Stations and Places, that they take Notice of all Nonconformiſts, Holders, Frequenters, Maintainers, and Abetters of Conventicles, and unlawful Aſſemblies, under Pretence of Religious Worſhip, eſpecially of the Preachers and Teachers in them, and of the Places wherein the ſame are held; ever keeping a more watchful Eye over the Cities and greater Towns, from whence the Miſchief is for the moſt Part derived into the leſſer Villages and Hamlets. And wherever they find ſuch wilful Offenders, that then, with a hearty Affection to the Worſhip of God, the Honour of the King and his Laws, and the Peace of the Church and Kingdom, they do addreſs themſelves to the Civil Magiſtrates, Juſtices, and others concerned; imploring their Help and Aſſiſtance for Prevention or Suppreſſion of the ſame, according to the ſaid late Act in that Caſe made and ſet forth.

Laſtly, For the better Direction to all thoſe who ſhall be concerned in the Advices given by this Letter, I deſire you will give out amongſt the Eccleſiaſtical Officers and Clergy, as many Copies of the ſame as you ſhall think moſt conducible to the Ends for which it is deſigned.

And now what the Succeſs will be, we muſt leave to God Almighty; yet I have this Confidence under God, that if we do our Parts now at firſt diligently, by God's Help, and the Aſſiſtance of the Civil Power, (conſidering the abundant Care and Proviſions this Act contains for our Advantage) we ſhall within a few Months ſee ſo good an Alteration in the Diſtractions of theſe Times, as that the ſeduced People returning from their ſeditious and ſelf-ſeeking Teachers, to the Unity of the Church, and Uniformity in God's Service, will be to the Glory of God, the Welfare

Welfare of the Church, the Praiſe of his Majeſty's Government, and the Happineſs of the whole Kingdom. And ſo I bid you heartily farewel, and am, *&c.*

Lambeth-Houſe, May 7. 1670. *Gilb. Cant.*

To the Reverend Mr. Sumner.

SIR,

I Send you here incloſed the Copy of a Lettter which I had the Honour to receive from his Grace my Lord Archbiſhop of *Canterbury*; when you have peruſed it, you will, I doubt not, very readily communicate it to the Neighbouring Miniſters of that Deanery wherein you are; as alſo do your Part, that his Grace may miſs nothing of that Service and Satisfaction, which may be reaſonably expected from the Method and Account therein propoſed. If you be put to remonſtrate (according to his Grace's Directions) againſt any Perſon or Perſons of your own peculiar Charge, as an Offender againſt the Laws and Uniformity eſtabliſhed, his Majeſty's Juſtices, to whom you ſhall addreſs yourſelf, will be ſure the more highly to value your Charity and your Prudence, if it do appear at the ſame Time, that you have, by particular Applications and private Conferences, (at leaſt offer'd at on your Side) endeavoured, with all Concern and Tenderneſs becoming your Fatherly Care, to evince unto ſuch as you are forced to complain of, the Errors of their Way. For all the other Particulars, I refer you to the Letter itſelf, and ſhall be glad (in caſe you meet with any Doubt or Difficulty in the purſuance of it) to give you ſuch further Satisfaction, as my Lord's Grace ſhall think fit to impart unto, SIR, your loving Friend,

L. Jenkins.

To the Clergy of the Dioceſe of *Canterbury*.

My Reverend and worthy Friends,

MY Lord's Grace of *Canterbury* having appointed you to diſperſe the Briefs for the Redemption of Captives, to the ſeveral Pariſhes of your Deanery, he hath commanded me to let you know, how particular and deep his Concern is for the Management of this Charity, with that Zeal and good Diſcretion it requires in the preſent Juncture.

HIS Grace doth not think it needful, that I ſhould inſiſt to you upon the Subject Matter of the Brief itſelf, ſince nothing can be added to thoſe moving Topicks, which his Majeſty himſelf is pleaſed to uſe in thoſe Briefs; nor ſhall I preſume to alter any Thing in the Manner and Method to be uſed, either in the collecting, recording, or the returning hither, of what ſhall be given on this Account; only my Lord's Grace thinks fit to appoint Mr. *Hirſt*, to receive and give his Acquittance for what ſhall be brought in from the reſpective Pariſhes, as a Perſon in whom his Grace entirely confides on that Behalf.

1*ſt*, THAT which I am commanded to ſuggeſt to you is, that you would be pleaſed in the firſt Place to ſit down, and among yourſelves to take a full View and a true Eſtimate of the State of every particular Miniſter in your Deanery; I mean, that you conſider how able and how dextrous he is for this Service; and as you find him to need your Advice or Aſſiſtance, ſo to afford it him, either by your Preſence and Help when the Exhortation is to be made, or elſe by your Application to ſuch of his Pariſh, as you, or any of you, may hope to prevail with more effectually than he can.

2 *dly*, THAT (as your ſelves, I doubt not, will) ſo you would exhort the other Miniſters of your Deanery to ſtudy thoſe *Mollia Tempora*, (I mean the proper Seaſons) wherein theſe Applications may meet the beſt welcome. And that you would not ſuffer any Miniſter to perſwade himſelf the Work incumbent on him is done, when he has made his Exhortation in the Pulpit; he muſt purſue it Home to their Houſes; and as he muſt not be diſcouraged where his Errand is not welcome, ſo he muſt not think he acquits himſelf as zealouſly as my Lord of *Canterbury* thinks he ought, unleſs he manage and purſue this Buſineſs with the ſame Contrivance and Earneſtneſs, as if he had a Son of his own, now to be redeemed out of thoſe Chains, but by the Alms that himſelf ſhould gather.

3 *dly*, NO Miniſter muſt grudge his Pains to his Churchwardens or otherwiſe, in order to collect and ſet down in Writing, the pooreſt Body's Mite; his Majeſty requires it, eſpecially where there are Books of Pariſh Accounts fit to record what

is

is now given (and ſome will not be the leſs forward to give, when they find their Names are to be fairly entered in a Book).

4*thly*, OUR Miniſters muſt be adviſed not to be too haſty in cloſing up the Collections, but to ſtay ſome Time, in Expectation of a good Pariſhioner that is abſent, or in Compliance with any other good Occaſion that may increaſe the Sum: But above all Things, they muſt ſpare no Pains in joining with their Churchwardens, when they go about to the ſeveral Houſes and Perſons of their Charge: I hope it will not be needful for any Miniſter to intimate to his Churchwardens, that the Neglect of this Duty is not to be puniſhed the ordinary Way, but by his Majeſty's Council; and I ſhould be very much troubled to ſee any Man of the Dioceſe fetch'd up hither by a Meſſenger, (which will be Matter of more than ordinary Expence) to anſwer for any Neglect or Contempt of ſo Chriſtian a Duty.

I have no more to ſay, but that my Lord of *Canterbury* is all Zeal in this Affair, not only for the high Nature of the Charity itſelf, but alſo for the Intereſt the Church hath, in the well performing of the Clergy's Part; his Majeſty is not only pleaſed to accept of what has been already done by his Clergy in this kind, but alſo to promiſe (in a manner) to himſelf, that my Lords the Biſhops, and all the Clergy, will lay out themſelves with all the Concern and Charity poſſible, in the faithful Diſcharge of this Duty, which his Majeſty's Royal Favour and ſpecial Protection to the Church, may moſt juſtly expect and challenge. It being a Work not only of acceptable Obedience to the King's Majeſty, but of high Religion to GOD, and Compaſſion moſt juſtly due to our Fellow Members.

THUS much I had in Command, and have nothing to add, but that I am with all Sincerity and Reſpect, *&c.*

Exeter-Houſe, Nov. 21. 1670. *L. Jenkins.*

To the Earl of Arlington, *Secretary of State.*

May it pleaſe your Lordſhip,

THE Queſtion that I have the Honour to have put unto me, *viz.* What becomes of the Queen Mother's Perſonal Eſtate, that her Majeſty died poſſeſſed of in *France?* ſeems to imply, that there is no Will of her Majeſty's yet come to Light; for a Will would, as far as it ſhould be found agreeable to the Laws of the Place, give the Rule in this Caſe. But whether there be a Will or not, the Queen Mother's Eſtate cannot be properly ſubject to the *Droit d'Aubaine* of *France*; for it cannot be imagined, that a Daughter of *France* ſhall ſo loſe her Birth-right, as that the *Fiſcus* there ſhall ſucceed to her Eſtate, and not her own Royal Relations. However, her Majeſty's Eſtate in *France* is ſo far ſubject to the Cuſtoms (I mean the Law) of the reſpective Provinces, where they happen to be ſituate, that an Eſtate (for Inſtance) in *Paris*, or in *Roan*, ſhall not paſs either by the Letter of the Civil Imperial Law, nor by the Law of *England*, (though actually and by Will diſpoſed of either Way) but ſhall be ſubject *pro tanto* to the reſpective Cuſtoms (which is a written Law that obtains under that Name) in *Paris* and *Normandy*.

BY the Cuſtom of *Paris*, our Soveraign Lord the King, his Royal Highneſs, MADAM, and by Repreſentation the Prince of *Orange*, are equally to ſucceed, Share and Share alike in the Queen Mother's Eſtate, that lies within the Diſtrict of *Paris*. Only if it were the Eſtate of a private Perſon, it would be conſidered, what any of the Sons or Daughters may have already received for their Advancement, and ſo much would be deducted reſpectively, as that each Share might be made equal, and bear its juſt Proportion with the others.

THERE may poſſibly be ſomething peculiar to the Prince of *Orange*'s Caſe, which may bring his Pretenſions under a ſtricter Debate; for if the late Princeſs Royal hath, in her Articles of Marriage, renounced all Shares in, and Right to all future Succeſſions in her Royal Family, the Cuſtom of *Paris* will in his Caſe (though the *Jus commune* will not) exclude the Prince her Son, if his Caſe be judged by the Meaſures of other private Succeſſions upon that Place.

BUT it is poſſible, that his Majeſty and his Royal Highneſs may meet with a more conſiderable Difficulty from the Pretenſions of MADAM their Siſter; for if the Queen Mother has, by way of Bequeſt, (very frequent among the *French*, which they call *Donation entre Vifs*) given and paſs'd away one half or more of her Eſtate to MADAM, the Cuſtom of *Paris* will not compel MADAM in that Caſe to come in Share and Share alike with his Majeſty and his Royal Highneſs; but MADAM declaring her Acquieſcence in the Share given her by ſuch Donation, the Reſidue that is left undiſpoſed of, is all that is like to come to his Majeſty and his Royal Brother, and the

the Prince his Nephew, ſuppoſing him not otherwiſe excluded; only, if the far greater Part of the Eſtate ſhould be given away to one in a private Succeſſion, that one ſhall be bound to defalcate and make up a *Legitimè*, as they term it, (*i. e.* a Moiety of that which ſhould have been each Child's Share, if they had come into the clear Eſtate, without any Donation *inter vivos* preceding) to the reſt of the Children not otherwiſe provided for. But this is a moot Point, not ſo fully agreed by the Writers upon the Cuſtoms of *Paris*.

'Tis poſſible, My Lord, that the greateſt Streſs of all may be laid upon the *Droit d'Aubaine*, which may be pretended to diſable his Majeſty and his Royal Highneſs to ſucceed the Queen their Mother, for that they have not been born, nor yet are Inhabitants, within the Allegiance of the Moſt Chriſtian King.

The Objection to me, My Lord, under Correction, is very obvious; for, 1. The Parliament of *Paris* has, in the Year 1600, judg'd it in Point againſt the Duke and Cardinal of *Ferrara*, who notwithſtanding his Plea of being a Sovereign Prince in *Italy*, and owned for Couſin and Ally by the Moſt Chriſtian King, yet was declared uncapable (for Want of being born or naturalized in *France*) to ſucceed to any Eſtate perſonal, as well as real, deſcended upon him as next of Kin, and the Eſtate was adjudg'd to a Native of *France*, tho' further off in Blood, than the Duke was, from the deceaſed.

2. In the Treaty between the Emperor *Charles* V. and King *Francis* I. the *Droit d'Aubaine* is confeſs'd and determin'd to have that Effect: *Que les parens & heritiers d'aucuns, ayant terres ou heritages, ou biens meubles en* France, *ne peuvent ſucceeder, avoir, ny poſſeder les terres, heritages, ou biens de leurs prochains parens, ſils ne ſont natifs de* France. In this Treaty, all the Inhabitants in the Provinces of the *Low-Countries* are exempted from the *Droit d'Aubaine*, and made capable to inherit in *France*, and by Virtue of this Treaty, the Teſtament of a *Hollander* made at *Arras* was adjudged a good Will, againſt the King in the Parliament of *Paris*, *Feb.* 1634. Whereas had it not been for this Treaty at *Cambray* 1524. (then *Holland* was under the Emperor) the *Droit d'Aubaine* would have taken Place.

3. The Duke of *Anjou*, when he went King into *Poland*, apprehending this Effect of the *Droit d'Aubaine* upon his Iſſue, though himſelf was a Son of *France*, took out Letters of Naturalization, to preſerve a Capacity in his Children (if he ſhould have any in *Poland*) to ſucceed and inherit as born in *France*; and Queen *Katherine de Medicis*, tho' Mother to three Kings, thought herſelf not capable to inherit or diſpoſe in *France*, till ſhe was naturalized; and her Letters were clogg'd with this *proviſo*, that ſhe ſhould leave none other, but Perſons born in *France*, to be her Heirs, otherwiſe the *Droit d'Aubaine* to take Place againſt them.

But I hope, My Lord, none of theſe Objections will be ſtrong enough to remove his Majeſty and his Royal Highneſs from a Right ſo naturally devolved to them. For if ſo, it would render the Condition of the Queen Mother's Royal Deſcendants worſe in this reſpect than that of her Majeſty's Domeſticks. For a *Frenchman*'s Child that is born in the Queen's Service in *Somerſet*-Houſe, ſhall inherit and ſucceed to his Father and Mother in *France*, as entirely as if he had been born in that Kingdom. It is a Caſe very lately judg'd in Favour of one of the Domeſticks of Madam Royal of *Savoy*, whoſe Children, tho' born of a *Savoy* Woman in *Turin*, ſucceed to all the Rights of their Father in *France*, and this by Arreſt of the Parliament of *Paris*.

This *Droit d'Aubaine* is ſo much the more odious, and reſtrained in the Eye of the Law, as that every Body has the Liberty in *France* to purchaſe a Freedom from it, and every Merchant that trades into the Fairs at *Lyons*, and every Tradeſman that can get to be free of the Town of *Bourdeaux*, (what Country ſoever he happen to be of, unleſs he be *Engliſh* born) is by Cuſtom, and legal Preſcription, exempted of Courſe, and freed from the Rigours of this Law, and ſucceeds his Relations, as Natives of *France* do, without other Letters to naturalize them.

The *Hanſe* Towns, and all the *Low-Countries*, are privileged from it by antient expreſs Treaties, and *Cromwell* got the *Engliſh* to be free of it by his Treaty 1654. All which put together, makes it very difficult to imagine, that ſo great a Monarch as his Majeſty is, whom the Moſt Chriſtian King has always treated as *Frere*, *Couſin*, and antient Ally, ſhould have ſuch an Objection as this of *Droit d'Aubaine*, oppoſed to his private Right, his Majeſty's Royal Progenitors having ſucceeded for ſeveral Ages peaceably and ſucceſſively, tho' born out of *France*, to the Dutchies of *Guienne*, *Anjou*, *Touraine*, *Maine*, (not to mention *Normandy*, or the Kingdom of *France* itſelf) and to other Seigneuries and Eſtates there, infinitely more conſiderable than the preſent Succeſſion can be pretended to be, without any Pretence of the *Droit d'Aubaine* objected to them.

Your

Your Lordſhip was pleaſed to recommend me to conſult Sir *R. Wiſeman*, Sir *W. Turner*, Sir *W. Walker*, and ſome other Civilians here, upon this arduous Point; but there is none of our Profeſſion now at Home, ſave Dr. *Mills* and Dr. *Lloyd*, who are pleaſed, on Communication with them, not to diſprove any Thing in theſe Lines, which come with all Duty and Submiſſion poſſible from, *&c.*

L. Jenkins.

Memoire pour monſtrer les droitz de S. A. R. Madame, ſur la ſucceſſion *de la feüe Reyne d'*Angleterre.

POUR connoître à qui la ſucceſſion de feüe Madame *Henriette Marie* de *France*, Reyne d'*Angleterre* doit appartenir; il faut examiner en premier lieu, les Clauſes de ſon contract de Mariage, & en ſecond lieu, quelz ſont les biens quelle a laiſſez par ſa mort.

Quant au premier point il eſt certain que la feüe Reyne d'*Angleterre* fut marié en 1625. avec *Charles* premier Roy d'*Angleterre*, il ſe void par ſon contract de Mariage du 8 *May* 1625, que le feu Roy *Louis* XIII. de glorieuſe memoire ſon frere luy conſtitua en dot la ſomme de *huict cens mil eſcus*, Dont la moitié fut payé comptant, & l'autre moitié dans un an apres, il eſt convenu que le tiers de cette ſomme demeurera ameubli au proffit des enfans qui naîtront du Mariage, au cas que la dot ſoit reſtituée par le predecés du Roy *Charles*, en payant neantmoins à la Reyne d'*Angleterre* pendant ſa vie la rente dece tiers; il eſt dit en ſuitte que les enfans dudit Mariage heriteront encores apres le decés de la dite dame des deux autres tiers de la dot qui auront eſté certifiez; il ya enfin une derniere clauſe importante, ſçavoir que la feüe Reyne d'*Angleterre* aura la liberté au cas du predecés du Roy *Charles* ſon eſpoux de revenir en *France*, & y'apporter ſes meubles, bagues, pierreries, & en outre ſon dot, Ce ſont les clauſes de ce contract neceſſaires à remarquer dont il s'agit.

A regard du ſecond point, il eſt certain que la feüe Reyne d'*Angleterre* a laiſſe dans ſa Succeſſion ſa maiſon de *Colombe*, ou elle eſt decedée, Ce qui ſe trouverra de derniers compts ſes bagues & pierreries, ſes vaiſſelles d'argent, ſes meubles meublans, les deniers de ſa dot, qui n'ont point eſté reſtituez, les interetz de cette dot, & les arrerages de ſon douaire (ſil en eſtoit deut quelques uns au temps de ſon decès) ce ſont tous les biens que la defunte a laiſſé.

Cela eſtant ainſi preſuppoſé dans le fait, il ya deux propoſitions à eſtablir en peu de parolles; la premiere, que la feüe Reyne d'*Angleterre* eſt morte domiciliée en *France*, & partant que tous les biens qu'elle a laiſſez, ſuivent la Loy de ſon domicile; la ſeconde, que de tous ſes enfans S. A. R. Madame eſt ſeule ſon heritiere, parce qu'elle eſt ſeule capable de receüillir en *France* les biens de ſa Succeſſion.

Il ny a perſonne qui puiſſe reuoquer en doute, que la Reyne d'*Angleterre* n'ayt eu ſon domicile en *France* au temps de ſa mort, elle y avoit pris ſa naiſſance, ce qui forme le domicile d'origine ſelon le langage des loix, Mais elle y avoit ſon domicile de choix, depuis que les troubles d'*Angleterre* l'ayant obligé de paſſer la mer en 1645, elle perdit en 1648 le feu Roy d'*Angleterre* ſon eſpoux, car il eſt certain, que des lors elle forma ſa reſolution de demeurer en *France*, d'y établir ſon domicile fixe, & perpetuel, & dy paſſer le reſte de ſes jours, ainſi qu'il luy étoit permis ſuivant la clauſe preciſe de ſon contract de Mariage, ce fut dans cette penſée qu'elle acquiſt la maiſon de *Colombe*, & qu'en effect elle n'eſt point partie de *France* pendant l'eſpace de pres de 25 ans, que pour aller Viſiter le Roy d'*Angleterre* ſon fitz apres ſon reſtabliſſement elle y ſejourna pendant deux ans, & revint en *France*, D'ou elle na plus bougé juſques à ſa mort; de ſorte que ſon domicile en *France* na point eſte ny fortuit ny paſſagere Mais un domicile de choix, ſtable, & permanent comme il a eſté remarqué.

Que ſy le domicile de la Reyne d'*Angleterre* eſtoit en *France* au temps de ſa mort, il s'enſuit, que ſa Succeſſion doit eſtre reiglée par les loix de *France*, & de la couſtume de *Paris*, qui eſtoit la loy de ſon domicile; la raiſon eſt, que tous les biens qu'elle a laiſſez à l'exception de la maiſon de *Colombe* ſont mobiliers, & de nature mobiliers, or c'eſt une reigle certaine & indubitable dans le droit *François*, que les meubles ſuivent la perſonne, ceque pluſieurs des nos couſtumes de *France* ont dit expreſſement. Comme celle de [a] *Sentis*, de *Rheims*, de *Bourbonnis*, d'*Amiens*, de *l'Iſle*, & pluſieurs autres que les meubles ſuivent le corps, & d'ou il s'enſuit diſent nos docteurs *François*, que pour en regler la Succeſſion il faut conſiderer le dernier domicile du defunt, C'eſt une maxime univerſellement receüe en toute la *France*, a dit M. *Charles du Moulin* le plus celebre de nos docteurs, & dont l'eminence de l'eſprit & du ſçavoir a eſtè reverée de toute l'*Europe*, que les meubles ſuivent la perſonne, & partant, que pour

[a] Art. 96. 21. 30. 96. Choppin lib. 2. Baquer des droits de juſtice. c. 13. no. 5. 16. Molin. ſur l'arti. 6. de la Cour de l'Iſle. & art. 21. &c.

en reigler la Succeſſion, il faut ſuivre la loy du dernier domicile de la perſonne decedée.

Mais cette loy n'eſt point particuliere à la *France*, c'eſt la loy de touttes les nations, ainſi que *Balde* docteur *Italien* la reconnu ſur la loy Mercatores au code de commerciis, parceque la lumiere naturelle de la raiſon qui eſt le fondement du droit des gens, qui lie tous les peuples de la terre, fait comprendre èglement à tous les hommes que les fondz & les biens immeubiles ſe reglent aiſement par la loy du territoire, ou ilz ſont aſſis, & les meubles par la loy du domicile de celuy qui les poſſede, à cauſe que n'ayant point daſſiette ſolide réelle & corporelle ils s'attachent neceſſairement à la perſonne du poſſeſſeur, c'eſt pourquoy tout ce qu'il s'agiſt d'en regler la Succeſſion c'eſt la loy de ſon habitation qu'il faut obſerver.

Il eſt evident qu'il s'enſuit de cette premiere propoſition, que tous les biens que la feüe Reyne d'*Angleterre* a de-laiſſez ſe doibvent regler par la loy de ſon dernier domicille, qui eſt la couſtume de cette Ville preuoſte & Vicomté de *Paris*, non ſeulement pour la maiſon de *Colombe* qui y eſt ſituée, & pour les autres meubles, & pierreries qui ſont ſous les cellé, Mais encores pour les deniers dotaux de la defunte, qui ſon deus en *Angleterre*, parceque ces deniers eſtant meubles, & l'action pour les repeter eſtant mobiliaire, en termes de droict ils ont ſuiuy la perſonne de la feüe Reyne d'*Angleterre*, & par conſequent, la Succeſſion s'en doit reigler par la loy de ſon dernier domicile, ſelon les principes cy deſſus eſtablis.

La ſeconde propoſition conſiſte à monſtrer, que cette Succeſſion appartient entierement à ſon A. Roy. Madame, parce qu'elle ſe trouve ſeulle en *France*, capable de la receuillir, tous les autres enfans de la defuncte, eſtant eſtrangers, & partant incapables de ſucceder.

[a] La loy d'aubeine, qui n'eſt point encore une loy particuliere de la *France*, Mais qui s'obſerve dans tous les autres Royaumes & Eſtats Souverains de l'*Europe*, & entre les autres en *Angleterre* ſuiuant l'ordonnance d' *Edvard Troiſieme*, & des autres Roys ſes Succeſſeurs, exclud les eſtrangers de ſucceder en *France* ; & adjuge au Roy les Succeſſions des eſtrangers non naturâ liſezé qui meurent dans le Royaume, il n'eſt pas beſoin apres cela, de prouver, que les *Anglois* ſont eſtrangers parmy nous, puiſque eſtre eſtranger d'un Royaume, n'eſt autre choſe que de n' eſtre point ſujet du Souverain qui y commande, & les *Anglois* ſont tellement reputez eſtrangers en *France* que ceux qui ont cherché l'origine de la loy d'aubeine, diſent, que c'eſt à cauſe des *Anglois* quelle a eſté premierement introduite, & que c'eſt pour cela, que le nom même d'aubeine en Latin en eſt derivé, ainſi eſtant conſtant dans le fait que la feüe Reyne d'*Angleterre* a laiſſé pour ſes enfans S. M. le Roy d'*Angleterre*, M. le Duc d'*Yorck*, les enfans de feüe S. A. R. Madame la Princeſs d'*Orange*, & S. A. R. Madame, il ny a que Madame ſeulle qui ſont capable de receuillir ſa Succeſſion en *France*, les autres en eſtant exclus comme eſtrangers du Royaume.

Ce qui a eſté dit cy deſſus eſt ſuffiſant, pour ſatisfaire a l'objection qu'on a faite de la part de ſa Majeſté le Roy d'*Angleterre*, que ſuivant les loix d'*Angleterre*, la Reyne ſa mere eſtant morte ſans faire teſtament, toute la Succeſſion luy appartient, comme fils aiſné de la defuncte, car ces loix pourroient avoir lieu ſi la Succeſſion de la Reyne eſtoit echeüe en *Angleterre*. Mais eſtat echeüe en *France*, ainſi qu'il a eſté & tous les biens de ſa Succeſſion eſtans ſujetz aux loix de *France*, ainſi qu'il a eſté montré, non ſeulement ſa Majeſté le Roy d'*Angleterre* ne peut point vendiquer la Succeſſion de Madame ſa mere ſuivant les loix d'*Angleterre* dont la force, & la vertu demeurent renfermées dans ſes Iſles, & dans ſes eſtatz, Mais il n'en peut pas même pretendre aucune part, parce qu'il eſt eſtranger du Royaume ou la Succeſſion eſt echeüe.

La ſeule difficulté qu'on peut former ſur ce point eſt, que le Roy d'*Angleterre* peut pretendre qu'il ne doit point eſtre repute eſtranger du monde, parce que l'eminence de la qualité Royale l'exempte par tout de la loy d'aubeine, à la quelle d'autre part il faut convenir que M. le Duc d'*Yorck*, & les enfans de Madame la Princeſs d'*Orange*, ſont ſans nul doute ſujetz. Surquoy leurs Alteſſes Royales Monſieur & Madame declareront tres ſincerement, comme ils ont deja fait, à ſa Majeſté le Roy d'*Angleterre*, qu'il n'entendent point entrer en aucune conteſtation avec luy ny luy diſputer en aucune ſorte les advantages & les prerogatives qui appartiennent aux Princes Souverains. Mais ſa Majeſté trouvera bon qu'il luy repreſentent ſans bleſſer le reſpect, l'union, & l'amitié, quils deſirent garder inviolablement avec luy, que cette pretention que les Roys ſont exemptz du droit d'aubeine n'eſt viſiblement fondée, que ſur ce nom de freres que les Roys ſe donnent reciproquement, qui n'eſt qu'une civilité de nom & de compliment, & que cependant toutes les mêmes raiſons qui empeſchent les perſonnes privées de ſucceder en un païs eſtranger, le trouvent encore plus puiſſement dans les Teſtes couronnées, parce que comme a remarqué

[a] Chopp. 1 Lib. Baquet du droit d'Aubein. 1 Part. Chap. 2. &c. 1 Chap. 1.

remarqué un des plus grands [a] perſonnages de ce ſiecle & le plus eſclairé dans les Droictz publique traictant cette meſme queſtion, ſur le ſujet de la Succeſſion du feu Duc de *Montoüe* comme l'unité (ce ſont les paroles de ce grand homme) *d'une meſme obeiſſance & ſujetion ſous les meſmes loix & domination donne & attribüe l'uſage & la participation des droitz civils d'un pais & d'un Nation, auſſi la diverſité de ſubjection & de loix ou l'independance & la ſuperiorité eſgale en ſon eſpece, & en ſon deſtraict, doit cacher une ſeparation toute entiere & produire par cette qualité eſtrangere l'une à lautre de droict d'Aubeine que l'un ſçait être Uſite en pluſieurs Royaumes.*

En effect il faut demeurer d'accord qu'il n'y à ny loy ny Ordonnance ny aucune raiſon naturelle ou civile, qui attribüe aux Roys un ſemblable privilege, ſi l'on conſulte les loix *Romaines* dont la profonde ſageſſe à eſté reverée par les nations meſme les plus barbares, elles nous apprennent que le Prince Souverain uſe du meſme droict que ſes ſujets dans les Succeſſions, & que d'ailleurs tout eſtranger eſt incapable de ſucceder.

Mais leurs Alteſſes Royales apres l'Eclairciſſement de leurs droictz repetent encores en ce lieu la Declaration ſincere, qu'ils ont deja faicte, qu'ils ne deſirent point former de conteſtation contre le Roy *d'Angleterre*, ils tiendront à beaucoup d'honneur de partager avec ſa Majeſté la Succeſſion de la defuncte Reine leur mere, & de reçevoir meſme de ſa main, une portion de cette Succeſſion, qui leur appartiendroit autrement tout entiere, par les loix de *France*.

An Anſwer to the foregoing Memorial by Dr. Jenkins.

L'Ambaſſadeur de la *Grande Bretagne* ayant communique aux Comiſſaires de S. M. *Britannique* un Memoire, quon luy avoit preſenté de la part de S. A. R. Madame touchant la Succeſſion de la feüe Reine de la *Grande Bretagne* d'heureuſe Memoire, les dits Comiſſaires ſe croyent obligés de preſenter audit Ambaſſadeur leurs Reflexions là-deſſus, à fin que par ſon entremiſe, ſadit A. R. Madame ſoit mieux informée des droits du Roy ſon frere, ſur la dite Succeſſion, en attendant les reſponſes qu'il plaira à S. M. faire à tous les Articles du dit Memoire. Les dits Commiſſaires n'ayans autre ordre que de prier & de faire des inſtances meſme, que le Roy leur Maître ſoit conſideré en cette occaſion comme il eſt le pere & l'arbitre abſolu dans ſa famille Royalle, ſelon les loix de ſes Eſtats, par leſquelles la Succeſſion de la Reine ſa mere lui eſt eſcheüe tout entiere ſans que perſone puiſſe pretendre d'y partager, ou en avoir la moindre portion, ſi non du ſeul bon plaiſir & equité naturalle de S. M.

C'eſt pourquoy, le dit Ambaſſadeur fera en ſorte, s'il lui plait, d'informer S. A. R. Madame, que la cour de Juſtice qui connoît des Teſtaments, & des biens & Succeſſions des inteſtats à *Londre*, eſtant informée par Meſſieurs les Gens du Roy, que S. M. demandoit qu'on lui fiſt droit en lui aſſignant & adjugeant par decret la Succeſſion de la Reine ſa mere, puis qu'il n'y avoit perſonne qui la demandoit en vertu d'aucun teſtament que la dite Reine auroit fait, ny qui vouloit informer la Cour qu'elle en avoit laiſſée, la dite Cour, ſe trouva obligée à l'Inſtance des dits Gens du Roy d'aſſigner & d'adjuger par decret la dite Succeſſion toute entiere à S. M. qui en demeure preſentment pourveu & inveſti, ſelon les formes accouſtumées en tels Cas, S. M. ayant trouvée bon tout auſſi tôt de ſubſtituer quelques officiers des plus conſiderables de ſon eſpargne, non ſeulement pour recueiller ce peu des biens, que reſtoit à la Reine ſa mere, mais auſſi pour répondre en leur noms propres & privés, à toute ſorte de pretenſions & de demandes, qui ſe pourroient intenter contre les heritiers de la dite Reine mere.

La dite Cour de Juſtice tenant les formes ordinnaires dans ce procedé, auroit ſans doubte attendu des oppoſitions au nom de S. A. R. Monſeigneur le Duc de *York*, Frere unique de S. M. ſans que les loix *d'Angleterre*, (ou tous les enfans, excepté ceux des Rois pretendent de ſucceder egalement pour ce que eſt de la Succeſſion mobiliaire à leur peres & mere decedans inteſtats) attribüaſſent un prerogatif particulier à la perſonne ſacrée du Roy, avec qui les loix ne permettent pas que perſonne pretend de partager les Succeſſions qui lui pourroient appertenir.

C'eſt pourquoy S. A. R. qui n'auroit pas manqué de ſe bien informer de ce qui lui pourroit appertenir, ne s'eſt pas trouvée bien fondée à faire la moindre inſtance ou demande à la cour ſuſdite d'un partage ou portion dans la Succeſſion de la Reine ſa mere, par ce que le prerogatif du Roy lui oſtoit les avantages que tout autre Frere auroit eu en commun avec les Siens.

Ce qu'on ne trouvera pas eſtrange en *France* [b] ou le Roy eſt tousjours cenſé heritier anomal & irregulier, ou il s'obſervoit auſſi juſque au Regne de *Charles* IX. que quand la Juſtice eſtoit Commune entre le Roy & un autre Seigneurie elle eſtoit entierement exercée par les officiers, que le Roy creoit & eſtabliſſoit la dedans; & meſme aujourdhui,

[a] M. Bignon en ſon ploidoye imprimé pour la Succeſſion de Mantoue. [b] Bacquet du droit de deſherence. c. 3. n. 10.

jourdhuy, quand le Roy à une portion tant petite qu'elle puiſſe eſtre, d'une Seigneurie il n'y à que ſes officiers ſeuls qui la peuvent bailler à ferme [a]. Enfin, on ne permet pas en *France*, non plus qu'en *Angleterre*, que les particuliers quand ils viennent en concurrence avec leur Roy, pretendent à des droits qu'ils accroient joüi en concurrence avec toute autre perſonne, come celuy qui a Retraict Lignager [b] ſur le bien de ſon parent ny eſt pas admis lors que le Roy en eſt l'acquereur ; outre qu'il y ait des couſtumes meſme en *France*, où il n'y à qu'un ſeul heritier d'aiſné tant en Succeſſion collaterale que direct [c] aux biens meubles non obſtant les meſmes nœuds de proximité, que d'autres pourroient avoir avec le defunct.

La Succeſſion de la Reine mere eſtant ainſi, comme il eſt dit, adjugée au Roy ſon fils, ſelon la diſpoſition & les formes du droit *Anglicain*, on à recherché des raiſons, par les quelles on pourroit diſputer à S. M. le droit qu'il pretend à cette partie, de la dite Succeſſion qui ſe trouve maintenent en *France*.

La premiere de ces raiſons eſt, que la Reine defuncte eſt morte domiciliée en *France*, & partant que tous les biens qu'elle a laiſſez, ſuivent la loy de ſon domicile. L'autre eſt, que de tous les enfans de la dite Reine S. A. R. Madame eſt ſeule heritiere, par ce qu'elle eſt ſeule capable de recueillir en *France*, les biens de ſa Succeſſion.

Pour repondre à la premiere raiſon, qui ſuppoſe, que perſonne ne puiſſe revoquer en doubte, que la Reyne n'ait eü ſon domicile en *France* au temps de ſa mort, Ceux qui auront priſe la peine de s'informer punctuellement du fait, & du droit, ſur ce point, trouveront de la difficulté à comprehendre cette propoſition. Car quoy que la feüe Reigne n'avoit autre domicile d'origine qu'en *France* & que celuy de ſon habitation (comme parlent les loix) ait eſté auſſi prés de XXV. ans continuellment en *France* excepté les deux Ans qu'elle paſſa pres du Roy ſon fils en *Angleterre*, la demeure pourtant qu'elle à fait en *France* depuis ſon dernier voyage *d'Angleterre*, doit eſtre eſtimée fortuite paſſagere & meſme contrainte par ſon indiſpoſition, & ne merite pas le nom d'un domicile fixe, & tel qui doit reigler ſa Succeſſion, ſoit qu'on en juge ſelon le droit de *France*, ou ſelon celuy *d'Angleterre*, ou bien ſelon le droit *Romain*, que eſt commun à tant de Nations.

Il eſt vray que les Docteurs *François*, & notamment M. *Charles du Moulin* diſent bien, que pour reigler la Succeſſion d'un decedé il faut ſuivre la loy de ſon dernier domicile, mais il eſt auſſi vray, que le meſme *Du Moulin* [d] qu'on à cité avec un ſi bel Eloge, d'Argentrée & d'Autres diſent nettement, que le domicile d'une femme eſt toujours celuy là qui eſtoit le domicile de ſon mari [e], & q'un ſejour meſme de plus de dix ans, qui ſe fait ailleurs, n'eſt pas capable de changer le domicile à une perſonne, ſi les occaſions de ſon ſejour hors du vray domicile ſont fortuites & paſſageres, & qu'on ſoit toûjours dans la penſée de s'en retournir.

On l'a Crû tout afait ſuperflu, d'accumuler des autheurs d'autres nations, qui ſont ſans nombre & ſans fin, en cette matiere, puiſque rien ne ſçaurot eſtre plus clair, ny plus formel, que ne ſont les ſentiments des Eſcrivains *François* ſur ce Subject,

Mais pour faire voir que la Reine defunct à toûjours cenſée *l'Angleterre*, come le lieu de ſon vray, principal, & fixe domicile, il n'y à qu'à remarquer premierement, les cauſes de la Sortie quelle en fit, du vivant du Roy ſon eſpoux de tres glorieuſe memoire, & auſſi les motifs qu'elle eut, de repaſſer par deux fois en *France*, depuis l'reſtabliſſement du Roy ſon fils. En ſecond lieu, on ſe ſouviendra des intereſt quelle avoit au temps de ſa mort, àla Cour *d'Angleterre*, puiſque la voix Commune des loix, à toûjours reconnüe les intereſts de perſonnes & l'aſſiette [f] de la plus grande partie de leur biens, come une marque principale d'un domicile fixe & perpetuel.

Pour ſa premiere ſortie d'*Angleterre*, elle eſtoit fondée ſur les ordres precis du feu Roy ſon Epoux, tant pour le Service du Roy, que pour le plus grande ſeurté de ſa propre perſonne, & il n'avoit les deſaſtres trop connus à tout le monde, qui ſuivirent bien tôt apres, qui l'ont arreſté en *France* juſq; à ce qu'il plût a Dieu de reſtablir ſon fils, dans le thrône de ſes Anceſtres. La raiſon de ſon retour en *France*, la premiere fois, depuis le reſtabliſſement du Roy, & de ce peu de demure, quelle y fit, a eſte bien connüe à tout le monde, C'eſtoit ſeulement pour l'accompliſſement du Mariage de Madame ſa fille, qu'elle avoit tant deſirée, & quelle acheva ſi heureuſement. Ce Mariage eſtant accompli, elle reprit bien tôt la penſée, & meſme le voyage de ſon vray domicille, quelle reſpiroit toûjours, qu'eſtoit l'*Angleterre*. Et on eſt bien aſſeuré, qu'elle ne ſeroit pas retournée en *France* ſans la Conſideration de ſa ſante, pour le reſtabliſſement de la quelle, elle Croyoit l'air de la *France*, & les Eaux de *Bourbon*, fort commodes & meſme neceſſaires. Mais les intereſts quelle avoit en *Angleterre* au temps meſme de ſon trepaſs, font encore voir plus clairement, qu'elle ne penſoit à autre domi-

[a] Bacq. des droits de Juſtice c.10. nu.1.2.3. [b] Tiraq. lib.9. nu. 38, de retraict. [c] Cuſtom de Ponthieu art. 15. Cuſtom d'Anjou, art. 235. [d] Molin. conſil. 31. nu. 20. 21. [e] Argent. in conſuet. Britan. art. 447. l. 9. nu. 1. 2. 4. &c. Arreſt de Loüet. l.c. ſomaire 17. [f] L. cives quidem 7. Cod. de incolis & D D.ib

domicile, que celui de la Cour d'*Angleterre*, pour y finir ſes jours. Elle eſtoit non ſeulement une Branche, mais la Souche meſme de la famille Royale, elle y avoit ſa Cour & ſa maiſon eſtablie, ſelon les formes ; & non obſtant la demeure de quatre ans quelle a fait icy depuis ſon dernier retour, il y avoit en *Angleterre* toûjour & au temps meſme de ſon decede, un nombre conſiderable de ſes officiers, meſme de Principaux, qui recevoient leurs Gages ſelon qu'un chacun eſtoit couché, ſur l'eſtat de ſa maiſon, tout de meſme que ceux qui avoient l'honneur d'eſtre aupres de ſa perſonne en *France*.

Et puis qu'on n'a trouve aucun autre argument plus convaincant de ſon intention, de finir ſes jours en *France*, que d'avoir acquis la maiſon de *Colombe*, S. A. R. Madame ſe ſouviendra, s'il luy plaiſt, que cette maiſon a eſté acquiſe en l'annee 1658. quand on deſeſperoit extremement des affaires du Roy ſon fils, & que cette acquiſition meſme n'a eſté faite que des deniers que la feüe Reyne avoit receû de la Bonté royale de S. M. Tres Chrètienne, & tant s'en faut que la Reyne mere apres le reſtabliſſement du Roy s'eſt contentée dudit acqueſt pour y faire ſa demeure durant toute ſa vie, qu'elle depença plus de deux cens mille eſcus pour rébatir ſon Palais de *Somerſet-houſe* à *Londres*, ſur lequel elle faiſoit encore faire en ſon abſence meſme des deſpences conſiderables, tous les ans, comme il ſe void par l'eſtat de ſes d'epences annuelles, d'ou il s'enſuit, qu'on ne ſcauroit donner des marques plus aſſeurées de l'intention de la Reine, de finir ſes jours en *Angleterre*, à moins que d'avoir la veüe de ces Lettres quelle écrivoit de temps en temps, au Roy ſon fils, les quelles fairoient avoüer ſans contredit ; quelle auroit eſté, il y long temps de retour à *Londres*, ſi Dieu lui avoit accordé une ſanté mieux eſtablie, quelle n'en a eu ces dernieres années de ſa vie.

En fin, on n'a que faire de s'oppoſer aux authoritez qu'on a apporté en foule, pour prouver que les biens mobiliares d'un decedé ſe doivient reigler ſelon la loy de ſon domicile, ce ſera aſſez de remarquer en ce Lieu, qu'on n'a cité pas un Autheur pour prouver que le ſejour & tels acqueſts que la feüe Reine avoit faits en *France*, eſtoient capable de changer le domicile quelle s'eſtoit indubitablement acquiſe là, où eſtoit ſon [a] Doüaire, ſes rents, ſes palais, ſes biens, & les ſources de tout ce quelle avoit de revenue, ſans parler, de ces nœuds ſacrées qui l'attacheoit indiſſolublement à la famille Royale d'*Angleteree*.

Ce qui eſt encore plus difficile à comprendre eſt, qu'on a trouvé à propos de faire mention des denieres dotaux de la Reine defuncte & meſme des arreages, ſil y en a de ſon doüaire qui conſiſt ſeulement comme tout le monde le ſçait en rentes foncieres chargées ſur un partie du domaine, de la Couronne d'*Angleterre :* d'autant que tout le monde demeure d'accord, que le Mariage change le domicile d'origine tant illuſtre qu'elle puiſſe eſtre, & que l'on tient communement en *France*, que quand il y a queſtion (ce ſont les mots de *Bacquet* [b]) de la matiere, ou de l'execution du contenu au contract d'un Mariage, on a eſgard toûjours aux loix & aux couſtumes du lieu, auquel le mari avoit ſon domicile lorſq; le Mariage à eſté contracté, auquel la femme a eſté amenée & a demeurée actuellement avec ſon mari, ſans avoir égard au lieu d'ou la femme tiroit ſon origine, non plus qu'au lieu, ou le Contract avoit eſté paſſé, ſuppoſant meſme que la femme y fuſt demeurante principalement quand le dot conſiſte en ſimples meubles, ou en ſimples deniers. Quant au Douaire, (ce ſont encore les mots de *Bacquet*) ſil eſt prefix & conſiſte en la Joüiſſance de quelque heritage, ou bien en certain rente en doüaire, aſſignée ſur certain heritage, il ſemble qu'il faut ſuivre la couſtume, au dedans de laquell, l'heritage eſt ſcitué, parceq; les [c] couſtumes ſont reelles, & ſuivant icelles ſont reigles les heritages aſſis, au dedans de leur dêſtroict, veu principalement que la Creation d'un rente en doüaire ſur certains heritages contient faiſable delaiſſement & tranſport de l'heritage ſur lequel elle eſt aſſignée, juſqu' à la concurrence d'icelle rente.

Les D^rs^. de l'*Italie* ſont d'un meſme ſentiment avec ceux de *France*, en cet egard, & il ya des textes [d] dans le droit ſi formels à ce fait ; que ceux qui auront bien remarqué les uns & les autres, n'auront point de difficulté d'avoüer, que toutes les queſtions qu'on pourroit faire, ſoit touchant les deniers de la dot, ſoit touchant les arreages du doüaire de la Reine Mere, ne ſçauroient eſtre vuidées, qu'aux Tribunaux d'*Angleterre* ou la Reine mere, pour Cauſe de ſon Mariage, & de ſon doüaire s'eſtoit acquis un domicile tout a fait fixe & immutable.

Mais il y a encore vne conſideration bien delicate, qui eſt particuliere à cette affaire ; on tient en *France* que les Grands du Royaume & les officiers de la Couronne ſont domiciliez toûjour à *Paris*, à cauſe que leur Dignitez ou bien leur charges les obligent de ſe trouver la plus part de leur temps aupres du Roy, que les loix ſuppoſent eſtre toûjours dans la ville capitale de ſon Royaume. Il eſt de meſme, & encore bien plus de la Reine Mere defuncte, Elle faiſoit une partie principale de la famille

[a] Bart. in l. cum quædam. [b] Bacq. Droit de Juſtice. c. 15. nu. 50. Chop. ſur les Cuſtom. de *Paris*. lib. 2. T. 2. nu. 15. [c] Bart. in l. cunctos populos. 12. 14. 18. 19. Abbas Panorm. in cap. 1. extr. de ſponſal. [d] Leg. exigere dotem. T. 65. de Judiciis.

famille Royale d'*Angleterre*. Le Roy Tres Chrètien ſon Neveu lui faiſoit l'honneur de conſiderer la maiſon ou elle demeuroit avec les meſmes egards que ſi le Roy de la *Gr. Bret.* y eut eu ſa demeure. Les Miniſtres des Princes Allies & amis du Roy ſon fils, avoient choiſi ſa maiſon pour faire des Conferences & des Traittez, come ſi elle eut eſté la maiſon Royale à *Londres*. En fin, elle a eſté Traité tout le temps de ſon ſejour icy, avec les meſmes reſpects & les meſmes privileges que la feüe Reyne Mere de *France* eſpouſe du Roy *Henry le Grand*, fut Traité trois ans durant, à la Cour d'*Angleterre*, & de meſme que ce ſeroit faire un grand tort à la Memoire du feüe Roy *Charles* I. que de s'imaginer ſeulement que cette Grande Reyne ſa Belle mere venant à deceder chez luy, comme elle fit peu apres en *Allemagne*, il euſt permis à ſe Tribunaux de ſe Meſler de ſa Succeſſion, ou qu'il n'eûſt tout laiſſé à la volunte du feüe Roy Tres Chrêtien d'en ordonner ſelon les loix de *France*. Ainſi le Roy de la *Gr. Bret.* demeure tout aſſeuré que ſa Majeſté Tres Chrêtien ſelon ſa Juſtice ordinaire n'entend pas que les privileges de la famille Royale d'*Angleterre* ſoient Reiglez ſelon les formes & couſtumes de la Prevoſté & Vicomté de *Paris*, mais bien qu'il les conſervera avec des ſoins dignes d'une famille ſi proche à ſa Perſonne Royal.

Pour ce qui eſt de la ſeconde propoſition, que S.M.B. Monſeigneur le Duc ſon Frere, & S. A. le Prince d'*Aurange* ſont incapables de ſucceder à la Reine leur Mere parceq; la loy d'Aubeine les en exclud; il faut avoüer, que la *France* & d'autres Monarchies auſſi ſe ſont ſervi d'une telle Loy, ou plûtôt d'une telle couſtume, pour empeſcher que les Eſtrangers ne s'emparaſſent des biens & du treſor d'un païs, ou il n'avoient point d'intereſt, pour ſa conſervation au prejudice des natifs & du bien public. Mais on ne comprend pas les raiſons, par les quelles on pourroit oppoſer cette loy aux Enfants d'une fille de *France*, puis qu'il eſt tres certain ſelon les arreſts qu'on en a veu, qu'on ne ſcauroit diſputer un telle Succeſſion, & meſme immobiliaire, aux Enfans du moindre de ſes domeſtiques qui auroit eu des Enfans naiz à *Londres*. Bien moins pourroit on oppoſer cette loy avec raiſon, à un Monarque qui eſt qualifié non ſeulement Frere par Compliment, come on a voulu faire accroire, mais veritablement Couſin German Naturel & Allie du Roy Tres Chrètien le plus antien de toute l'*Europe*, & on trouveroit fort Eſtrange qu'un Roy fûſt cenſé incapable d'une petite Succeſſion, où il ne ſe trouve pas la moindre conſideration d'eſtat dans un Royaume ou ſes Anceſtres meſmes ont eſté receus à la jouiſſance de terres & ſeigneuries tres conſiderables autrefois, ſans qu'ils fuiſſent ou Naiz, ou naturaliſes en *France*.

D'autant donc que la repreſentation meſme d'un ſouverain donne une exemption de cette Loy a Celuy qui porte ſon Caractere, & meſme à toutes les perſonnes de ſa ſuite, puiſqu'il y a auſſi un nombre infini de perſonnes en *France* qui en ont exemptées ſans contredit, les uns par des Traitez & accords faits, comme leſont tous les Natifs & Habitans d'*Angleterre*, les autres par des couſtumes & preſcriptions qui excluent entierement le Droit d'Aubein, il eſt à eſperer de la Juſtice & Generoſité de leur Alteſſe R. Monſieur & Madame, qu'on ne pourra jamais leur perſuader à demander la Succeſſion de la Reine leur Mere, en vertu de cette loy d'Aubein, non plus que du domicille quelle avoit icy par accident, & Conſideration de ſa ſanté; & par conſequent, on ſe doit promettre qu'on ne penſera plus à d'autres meſures, de partage dans la famille Royale d'*Angleterre*, que celles que le bon plaiſir de S. M. *Bret.* aura données, conformement aux principes de ſon equité naturelle, & de ſon amitie particuliere pour Madame ſa Sœur.

To the Earl of Arlington, *from* Paris.

My Lord,

I Should not have ſuffer'd the laſt Poſt to paſs, but that I ſtayed to incloſe the Printed Relation of the Funeral at St. *Dennis*, which is a more accurate Account than I could pretend to give, and of the Service of *Nôtre Dame*, on *Monday* the 25*th* paſt; this Service being perfectly the ſame with the former, as to the Perſons bearing Part, and to the Ceremonies uſed in the Solemnity, but that the Archbiſhop did officiate, and *Pere Senault*, General of the Oratorians, a Man of good Note, (for his Writings of the Paſſions and other Pieces) pronounced the Funeral Oration.

This Diſcourſe, though it was ſuitable to the Spirit and Eloquence of that Orator, yet it had one Paſſage in it which did very much trouble and ſurprize me; It was, that having diſcourſed of our late Bleſſed King's Diſaſter, and of the execrable Murder acted upon him, he at laſt fell into a Diſquiſition of what might be the Provocation of ſo heavy and terrible Judgments; and at laſt concluded, that conſidering he was a Prince of ſuch great moral Endowments, he could aſſign no other

than

than that of his *Infidelity* (that was the Word, My Lord). I complained of it upon the Place, and when I came Home thought myſelf obliged not to reſt, till I let the Father know my Reſentments upon it. I was often diſappointed in my Addreſſes, (the Father being informed of my Errand) but at laſt was admitted to him; Father *Goff* and M. *de le Provenche* being with him. The Father General, being prepared long before, glided of his own Accord into a Diſcourſe of his Oration, and of the Paſſage which he had heard I took ſo much to Heart. I told him, it was with a very great Regret I thought upon the Neceſſity of imparting any Diſſatisfaction of my own, to a Perſon of his Rank and Merit; but that the Word he ſpoke had ſo wounded me, that with all the Debates I had had with myſelf, and all the Aids I had craved from others, I was not able to reconcile it with the Juſtice that was due to any Perſon, ſeriouſly profeſſing the Name of Chriſt at his Death, much leſs to the Charity and the Reſpect that was due to ſo great a Prince, butcher'd by Rebels, for not conſenting to change the Chriſtian Religion and the Laws, which he had been ſworn to maintain. Hereupon the Father began a very grave and long Diſcourſe, that tho' there was a great Reſpect due to Crowned Heads, yet that there was a much greater to God and Religion. That the Word Infidel, might be properly applied to thoſe that believe not as the Church of *Rome* did, as well as to *Jews*, *Gentiles*, and *Mahometans*; adding, that there was ſome ſuch Diſtinction as a Chriſtian Infidel as well as a *Jewiſh* one, to be met with in *Thomas Aquinas* and the Schoolmen. Beſides that, if every Sinner, according to the Importance of the Word, may be called Infidel to his God, much more may one that is a Misbeliever. However, that he had uſed the Term *Infidelity*, as leſs *choquant* than that of Hereſy, according to the ordinary Acceptation of the Word. To that I replied, that I was unfortunate in that I muſt be ſent to the Schools to learn the Explicarion of Panegyricks, and that when I was there, I ſhould find *faithful* Chriſtians to have been reputed Terms convertible, in the Language of the Church, I had an Underſtanding ſo *groſſiére*, as not to underſtand a Chriſtian Infidel to be other than contradictory: But if that Word be taken according to common Uſage, ſure I was that it was far from extenuating that of Heretick; for beſides that, I appeal'd unto him, whether he did ever uſe in his Sermons againſt thoſe of our Religion, to call them Infidels, which he confeſſed he did not: All their ancient Hiſtories and modern Diſcourſes, particularly their Weekly Gazettes, have appropriated the Word Infidel to *Gentiles* and *Mahometans*, that don't believe in Chriſt. I took the Liberty further to obſerve to him, that the Word could not poſſibly be underſtood in a favourable Senſe, extenuating the Imputation of Hereſy: For as he was to find out and aſſign a Provocation ſuitable to the terrible Judgment he had diſcourſed of, ſo the Infidelity he aſſigned, muſt be underſtood to be ſomething much more horrid, than the erroneous Judgment he ſuppoſed our King to be guilty of in Matters of Faith; at leaſt ſuch an Imputation was unavoidable to the vulgar Part of his Auditory. Beſides, tho' it be uſual to elevate the Vertues of a Prince now and then, by applying bold Hyperboles to little Merit, yet no Man ever heard, that the Default of Princes, when they are to be glanced at but nicely, are to be repreſented in Terms capable of tending to Aggravation; but certainly, that the Inquiry into thoſe Cauſes might have been very well let alone, for that the Queen herſelf, whoſe Panegyrick he likewiſe ſpoke, had drank very deep of the ſame Cup; yet was as far as he himſelf could wiſh from the Infidelity of her Husband. St. *Lewis*, the great Saint and Patron of this Crown, lived and died in as great Misfortunes, as any Prince that can almoſt be inſtanced in: This I told him, I might truly urge, allowing him his utmoſt Rigour againſt thoſe of our Communion. I told him further, there was ſome Things that were peculiar to this Prince, that ſhould have engaged, if not his Charity, yet his Suſpence, till he had more accurately been informed, before he had pronounced ſo ſeverely. For that he had died with all the Reſignation and Diſpoſitions of a Primitive Martyr, and he very well knew what great Errors the ancient Church did allow ſuch a kind of Baptiſm to expiate. 2. That he had written a Book of Meditations, which ſpoke his Charity and Devotion to be elevated infinitely above the little and common Differences about Religion. 3. That there are ſome Thouſands of Chriſtians in the World, that have as perfect a Veneration for his Memory, as they in *France* have for St. *Lewis*; and that a National Synod of learned Men having thought themſelves obliged to compoſe an Office for the Anniverſary of his Martyrdom, which may enter into Compariſon with that they have to ſhow here of St. *Lewis*; at leaſt has nothing in it but what is worthy of a conſiderable Body in the World for Learning and Religion. But above all, that he was a great and abſolute Monarch, accountable to none while alive but to God, and conſequently not to be arraigned ſo many Years after his Death, before the *Chaiſe* of an Ha-

Haranguer; much leſs to be condemned by one, that had by his Education and Intereſt an irrecoverable Prejudice againſt the brighteſt of that Prince's Merits, the Soundneſs of his Religion. After a long Diſcourſe to this Effect, *pro* and *con*, the Father ſaid, he was heartily ſorry that he had not uſed a leſs offenſive Word, and being (as he ſays) deſired to Print his Oration, he will have a Care to mend that Paſſage to my Satisfaction. I am, *&c.*

L. Jenkins.

To the Earl of Arlington.

My Lord, *Calais, 31ſt Dec. 1669.*

IT happened yeſterday in the Forenoon, that Captains *Wood* and *Crow*, Commanders of his Majeſty's two Yatches, now in this Port, acquainted my Lord of St. *Albans*, my Lord *Arundell*, and my ſelf, that two Boats, loaden with Woolls, exported out of *England* againſt the Law, were to arrive with the Evening Tyde in this Port; and that they had Orders, which they then produced under his Royal Highneſſes Hands, to viſit all *Engliſh* Veſſels ſuſpected of this Fraud, and to ſeize and bring to Juſtice, ſuch as ſhould be found faulty.

My Lords directed the Captains, or one of them at leaſt, to ſet out with their Ship Boat out of this Port, before the Wool-Stealers ſhould get within the Protection of the Guns, and ſtanding off to the main Sea, to viſit and order them as they ſhould ſee Cauſe.

As ſoon as the Captains diſcovered their Intentions to ſtand out to Sea, the Major that commands here (in the Abſence of M. *de Charoſt* and his Lieutenant) clapp'd a Guard of Muſqueteers upon the Quay, and the Rabble (animated, it ſeems, by ſuch as expected the Wool-Stealers) took up Stones, in a riotous Manner, and vow'd the Death of any of our *Engliſh*, that ſhould offer to ſtir, in Order to get off to Sea.

My Lords being ſat down to Dinner, were alarmed with this Diſorder and Riot, and M. *Le Preſident de Foſſe*, Intendant of this Town, happening to dine with them, their Lordſhips were very earneſt with him to have this Diſorder remedied, and to have our Captains freely ſuffered to ſtand off to Sea by his Authority. My Lord of St. *Albans* remonſtrating very effectually, that we could not, without Injury and Affront, be kept under that Reſtraint, in a Port that was his Majeſty's Allies, and evincing the Prejudice that muſt neceſſarily follow, if this Practice be allowed of to his Majeſty in the Trade and Cuſtoms of *England*, which the Moſt Chriſtian King could not be imagined to countenance, in Favour of ſo trifling an Intereſt as that, which the *French* Traders here might pretend to in this Caſe; My Lord of St. *Albans* demanding Juſtice in the King our Maſter's Name, with all the Force and Spirit becoming the Occaſion.

M. *Le Preſident*, excuſed himſelf as well as he could, throwing the Blame upon the Major and his Guards; the Major on the other Side pretended, that he had not plac'd his Muſqueteers upon the Quay to hinder our People from going out, but to prevent an Inſurrection among the Rabble. The Time was ſo ſpun out by the Major and the Preſident, that the Wool-Stealers were got into the Road here, before the Guards were taken off; and they being within the Protection of the Guns, and we under the Power of the Rabble, it was not adviſeable to attempt any Thing by Way of violent Seiſure.

The two Boats, My Lord, being tow'd in by the *French*, the *Engliſh* having Notice of our Deſign, not venturing into the Port, M. *Le Preſident*, having after ſome Diſcourſe that I had with him, offered to execute any Seiſure that I ſhould make as Judge of the Admiralty upon the Men, the Boats and Woolls; adding, that he on the other Side would draw up his Proceſs verbal, that is a Narrative of the Fact, as he ſhould think fit to State, and the Laws ſhould determine the whole Matter.

To this Propoſal, My Lord, I excus'd my ſelf, for I was aſſured the Men were not to be found, and it was my Opinion, with Submiſſion, that the Boats and the Woolls were actually forfeited, as ſoon as they put to Sea from off the *Engliſh* Coaſt, and conſequently not to be ſubmitted to this Tribunal, eſpecially ſince we were hindred to ſeize that which was unqueſtionably confiſcate, while it was yet upon the open Sea, and not come within the Verge of the *French* Juriſdiction, as the Preſident himſelf granted they were not, while out of the Protection of their Forts.

Being not able, My Lord, to prevail with any *Frenchman* in this Town, to accept of a Procuration from me, and to act according to my Directions; I choſe, My Lord, with all Submiſſion to your Lordſhip, to draw up the encloſed Form, and

to

to have the Preſident ſerved with it, as he was by one that will be able to make Oath of it, if your Lordſhip ſee Cauſe, in the Admiralty, or elſewhere.

In this Inſtrument, My Lord, I do endeavour to deduce the Injury that has been done to his Royal Highneſs's Officers, in hindring them to go out of a free and Friend's Port to the high and open Seas, to execute a Commiſſion they had againſt his Majeſty's Subjects notoriouſly offending againſt his Laws, and contemning the Authority of his Admiral. So that the Fact, as I ſtate it, and as it will be made out upon Oath, may be a Ballance, if not a Corrective, to any Miſ-information that may happen to mingle into M. *le Preſidents* Proceſs verbal of this Affair.

In the next Place, My Lord, I do demand of all Men in Authority here, that the Wool-ſtealers, being notorious Infringers of our Laws, and for ſuch denounced there, and would have been ſeized upon by us, had we not been violently hindred before their coming within the *French* Juriſdiction, be now ſent away under ſafe Cuſtody, and delivered to their proper and natural Judicature.

For the Ships and the Woolls, I do demand likewiſe, that they be reſtored, and put into my Hands without Proceſs or Formality of Law, they being confiſcate *Ipſo Jure*; and to be reputed as ſuch, and would have been ſeized as ſuch, had we not been hindred by open Force, before they could have come within this Juriſdiction.

M. *Le Preſident* having, My Lord, as he told me, fully conſidered my Paper, was not pleaſed to take Exception to any Thing in the Matter or Form of it, but that he could not comply with my Demands, till he had firſt tranſmitted it to M. *Colbert* at Court; M. *Colbert* having upon all Occaſions a Tenderneſs, as he ſaid, for the King his Maſter's Subjects, and deſiring to be informed of all Rencounters, wherein their Trade might be concerned: But M. *le Preſident* was pleaſed to aſſure me, that your Lordſhip ſhould in a ſhort Time receive, not only an Account, but alſo Satisfaction in this Affair, from the *French* Ambaſſador now reſiding in the Court of *England*. In the interim, the Preſident has ordered the two Veſſels to be embargoed, and their Sails to be taken off, and the Wools (about 50 Sacks) to ſtand ſeized by his Warrant in the Cuſtom-Houſe. I am, *&c.*

L. Jenkins.

To the Earl of Arlington.

My Lord, *Sept.* 22. 1670.

Since 'tis probable your Lordſhip reſolves of Writing to the Prince Elector, in the Prince his Brother's Affair, I hold it my Duty to lay at your Lordſhip's Feet, my humble Reflexion upon an Alteration in the Inſtrument of Agreement, as it has been induſtriouſly made on the Prince Elector's Part.

In the 1*ſt* Article, My Lord, it is ſaid, That the *Pactum Appennagii*, whereby the Prince Elector granted, it ſeems, in the Year 1654, a Rent Charge of 4,000 Florins a Year to Prince *Rupert* and his Heirs, ſhall ſtand firm in all Things, excepting ſuch Points and Clauſes as are changed by this preſent Agreement.

Yet in the 2*d* Article, where the *Engliſh* Project had ſpecified the Arrear hitherto unpaid of the Appennage, as one of the Things for which Prince *Rupert* was to have Compenſation, it is provided, That in lieu of all the Pretenſions which Prince *Rupert habuit, habet & habere poteſt, ſive ex dicto Pacto Appennagii, ſive aliundè*, the Prince ſhall content himſelf with,

1. The Houſe at *Rhenen* to be made over to him and his Heirs.
2. Thoſe Goods of the Queen his Mother which he is at preſent poſſeſs'd of.
3. The Value of 2,000 Florins in Corn and Wine, to be delivered to him at *Bacrac*, every Year in *November*.
4. The 45,000 Florins to be paid him, as ſoon as the Elector is paid that Value, out of the 100,000 Florins granted him by the Emperor upon the *Roman* Months; and until this Money be paid, the Intereſt of five *per Cent.* paid out of the Elector's Penſion in *Holland*.

I cannot think that the Words *habere poteſt ex Pacto Appennagii*, are intended to deſtroy the Prince's Right to 4,000 Florins a Year, that ſhall become due for the future, ſince that Rent Charge is mentioned twice, and acknowledged, tho' but in a Parentheſis, in the following Part of the Agreement; yet the Intention of the Prince Elector's Council, that altered and framed theſe Words, I ſuppoſe to be, to change the 45,000 Florins now in Arrear, from their Notion and Nature of Appennage, into an ordinary Debt, upon this Contract and Tranſaction, that they may be no longer recoverable by the Rules and Penalties of the *Pactum Appennagii*, whereby they would lie always a Burthen upon the Electoral Eſtate, as a Debt moſt highly privileged,

till it be paid off; whereas upon this new Agreement, it becomes ſubject to all the Caſualties that the Prince Elector's Pretenſions to the *Roman* Months are; and if that Fund ſhould fail at ſeven Years End, the Prince Elector will be at Liberty to name what other Funds he pleaſes; but in Failure of his Electoral Highneſs, his Heirs and Succeſſors will be (as the Words are penn'd) free from all Obligation in Law, to charge him with and to provide for the Payment of this Arrear.

BESIDES, MY LORD, the Prince Elector doth not oblige himſelf to pay any Part of this 45,000 Florins, till he have received that whole Value upon the *Roman* Months. What the Prince himſelf has obſerv'd to your Lordſhip, touching the Time when the Payment of his Appennage is to be, and of the Corn and Wine, as alſo of the Intereſt Money from *Holland*, is to begin, I do not mention; ſince thoſe Matters will, I hope, be eaſily adjuſted by your Lordſhip's Interceſſion; nor poſſibly is it ſafe to make this Article concerning the Arrear, a Matter of freſh Debate, for that ſtill puts Prince *Rupert* ſo much backward in his Affair; eſpecially ſince this Agreement has the Notion of a Tranſaction, which is a Way of compoſing Differences that the Civil Law makes as inviolable almoſt as a Fine and Recovery in our Realm of *England*; and conſequently that it will be ſure to keep a Door open for his Majeſty's Authority to interpoſe, and for the Arbitration of ſome Princes of the Empire, in caſe of any Miſunderſtanding. I am, *&c.*

L. Jenkins.

Ad Virum Clariſſimum Boſcium, *Profeſſorem in Academia* Janenſi.

QUOD Benevolentiam tuam, Vir Clariſſime, ſtudiis & votis iis, quibus jam fervet *Oxonium* noſtrum, facile conciliandam fore ſperemus & auguremur, hoc imputes, rogo, Eruditionis tuæ juxta ac Humanitatis perquam eximiæ, quà apud noſtrates clares, celebritati. Hinc eſt quod viri aliquot ex Magiſtratu Academico inſignes, qui ad Rem Typographicam pariter ac Literariam procurandam apud *Oxonienſes* deputantur, dum *Joſephi* illius *Hebraicarum* Antiquitatum Scriptoris Editionem novam Theatro *Sheldoniano*, (ſplendido ſcilicet illo Typographæo, quo Reverendiſſimus *Sheldonus* Archiepiſcopus *Cantuarienſis* Univerſitatem *Oxonienſem* nuper augeri juſſit) dignam, qua fieri poterit, meditantur, in tanti operis molimine te imprimis compellandum eſſe cenſuerunt: & dum auxilia, omne genus, quibus autor iſte elucidari poſſit, ab aliquot retro annis undiq; gentium conquirunt, ex tuo etiam penu aliquid appoſitum pariter ac eximium, ſibi prolixe ſpondent; à me (utpote quem ejuſdem Almæ Matris alumnum olim, indignum licèt, ut & hic, *Coloniæ*, non ita procul à *Jena* tua, jam ſubſiſtentem norunt) per literas ad me datas hoc poſtulant; ut te, Vir ſpectatiſſime, eorum nomine obnixe rogem, quatenus editioni huic novæ amicam tuam manum, quam & peritiſſimam eſſe omnes exiſtimant, admovere haud graveris. Inter alia enim nominis tui merita & hoc illos pertigit, quod tu (Vir clariſſime) *Flavio Joſepho* addictior textum illius (alias plus ſatis mendoſum) cum pluribus probati Commatis Codicibus Græcis MSS. tua ipſius manu contuleris, unde plurimum lucis editioni noſtræ fœnerari poſſe autumant: Tantæ tamen lucis copiam non alia lege expectendam fore exiſtimant, quam impenſis omnibus quas te feciſſe contigerit, honeſtiſſime quam fieri poterit prius refuſis: Ultra quod, totum illud beneficii quod apud illos collocandum duxeris gratâ ſimul & honorificâ nominis tui recordatione poſteris conſignabunt. Hâc quippe ratione ſane optimos juxta ac eruditiſſimos, immo Univerſitatem *Oxonienſem* (quam nos inter *Britanniæ* noſtræ decora recenſere ſolemus) tibi plurimum demereberis: Ac ſi tot ac tantis nominibus, meum etiam adjici volueris, habebis quidem hominem ad quælibet officia paratiſſimum: Et quo minus pollicitationes meas, qui tibi nondum notus ſum, omnino vanas credas, En Dn. *Spanhemium*, Sereniſſimi Principis D. Electoris *Palatini* ad *Rhenum* Reſidentem ampliſſimum, qui pro ſua in me amicitia ſe tibi (Vir clariſſime) ultro ſiſtit, officiorum erga te meorum ſponſorem ſimul & proxenetam. Vale. Dab. *Coloniæ* Ubiorum vii. Id. *Mart.* M.DC.LXXIV.

Leolinus Jenkius.

To the Earl of Arlington.

My moſt Honoured Lord, *Dec.* 19. 1670

IF the Settlement which his late Highneſs *Maurice* Prince of *Orange* hath made upon M. *de Beverwert*, be rightly repreſented in the incloſed Paper, M. *de Beverwert*'s Daughters will have great Difficulties to draw out any Part of the Capital (700,000 Francs) now remaining, partly in the Bank, and partly upon the Mortgage of

of the Barony *de la Lecke*. Only it will be granted, I doubt not, on all Hands, that any one of thoſe Daughters may at this Time ſafely and validly transfer all her Right and Intereſt in that Capital, upon any one of her Brothers or Siſters, or upon all of them; but ſhe cannot transfer it upon any Stranger, I mean, My Lord, upon any one that is not in the ſame Remainder with her ſelf, as to this common Fund. Nor will the Conſent of his Highneſs the preſent Prince of *Orange*, operate in Favour of ſuch an Alienation; his Highneſs having no more but a bare Poſſibility of ſucceeding (or, as we term it in *England*, a remote Remainder) in this Eſtate; which cannot take Place as long as there is any living of M. *de Beverwert*'s Line, whoſe Sons have an undoubted Right to oppoſe this Alienation.

What the Writer of the incloſed Paper delivers for Law, cannot (as I humbly conceive) be denied to be the general received Practice in the United Provinces, and in all Countries where the Civil Law *de Fidei commiſſis* does obtain; only I cannot but obſerve, that this Writer, in ſtating the Matter of Fact, does not recite the Original Pieces, (the leaſt Variation from which, may very much alter the Caſe) but founds himſelf partly upon Hearſay, and partly upon the Strength of his Memory. I am, *&c.*

L. Jenkins.

To His Royal Highneſs.

May it pleaſe your Royal Highneſs,

If a Court of Appeals in Admiralty Cauſes be erected at *Dublin*, with Reſort to your Royal Highneſs's Court of Admiralty at *London*, no Man of the remoter *Iriſh* Provinces can be ſure of an End of his Suit, without running through four ſeveral Inſtances, *viz.* from *Connaught*, for Example, to *Dublin*; from *Dublin*, to the Court of Admiralty here; from thence, to his Majeſty's Court of Delegates. Whereas by the preſent Conſtitution, there is no Poſſibility of prolonging a Suit beyond the third Inſtance. It is not ſuggeſted, that the Court of Appeals in *Dublin* is of any longer ſtanding than the Time of two Judges ſucceſſively, the laſt of which died about the Year 1640. Nor is there any *Conſtat* of that among your Royal Highneſs's Records here; eſpecially not any Preſident of ſuch a Commiſſion, nor any Proceſs of Appeal from that Court (as a Court of Appeal) to this Admiralty. Nor do I hear of any Acts or Records of that Court now to be ſeen in *Dublin*, whereby it may appear how far, or in what Manner, that Juriſdiction hath been (*de facto*) exerciſed.

This I do with all Humility mention, becauſe it's poſſible ſome ſuch Evidence will be required, in caſe this Re-eſtabliſhment comes hereafter to be queſtioned. For if we cannot make it out that this Court of Appeals is either founded upon a Preſcription Time out of Mind, or elſe eſtabliſhed by Act of Parliament, We cannot be ſure but that the Officers acting in ſuch a Court, will be reputed new Officers, and conſequently their Fees to be new Fees, that is, ſo many unpardonable Inſtances of Extortion from the People. Sure I am, your Royal Highneſs aims at nothing but the Honour of the Government, the Eaſe of the Subject, and the good Order of your Admiralties: And it is poſſible that theſe Ends might be beſt ſecured, if it were practicable to make the Judgments in the ſeveral Provinces to be final and deciſive, without further Appeal, to a certain Value; for inſtance to 10*l.* or 20*l.* That in Cauſes above that Value, there ſhould be an Appeal to *Dublin*, and that the Sentence there ſhould be likewiſe deciſive and final to a higher Value, but to be aſcertain'd and fix'd by your Royal Highneſs: And that as in every Cauſe above ſuch a Value an Appeal ſhould lie hither to your Royal Highneſs, ſo all Appeals ſhould be rejected (at leaſt not heard till after Execution had) that ſhould happen to be interpoſed upon the Undervalue. How reaſonable or expedient this Method may be in *Ireland*, I know not: I only mention it, as the more likely Innovation of the two, (if the firſt mentioned muſt be reputed one) and as the received Practice in other Countries, where the Civil Law obtains. All which is with the greateſt Humility ſubmitted to your Royal Highneſs's Wiſdom.

June 23. 1670. *L. Jenkins.*

To His Royal Highneſs, upon the Union between England *and* Scotland.

May it pleaſe your Royal Highneſs,

It would be an inſufferable Preſumption in me, to offer my poor Thoughts of the intended Union, but that I owe a perfect Obedience to your Royal Highneſs's Commands; and muſt beg that what I here lay down, may not be taken as my abſolute

Judgment, which ſhall always contain itſelf within a perfect Submiſſion to my Lords the Commiſſioners, but rather as a Scheme of thoſe Difficulties, which his Majeſty, in directing his Commands to them, may either avoid, or elſe find a Way to overcome. And that your Highneſs will be pleaſed to excuſe the length and Number of theſe Lines, deſiring rather to treſpaſs that Way, than to omit any Thing which my preſent Thoughts, howſoever crude and undigeſted, do offer conſiderable in the Caſe.

THE Ends propoſed by his Majeſty and your Royal Highneſs are,

1. THE preſerving of the Royal Government from being ſhaken, as it hath been of late.

2. THE rooting out all Jealouſies and Animoſities, and the begetting of ſuch a firm Confidence between both Nations, as may preclude all Fear from Abroad.

3. THE improving of Fiſhing and Trade, and conſequently the Increaſe of Wealth and Strength. So that this Iſland may be more ſecure from Enemies, more uſeful to Friends, and more conſiderable to all the World.

THE Means propoſed, in Order to obtain theſe Ends, are,

1. THE uniting of the two Kingdoms into one Monarchy, under his Majeſty, his Heirs, and Succeſſors, inſeparably.

2. THE reducing of both Parliaments into one.

3. THE preſerving to either Kingdom their Laws Civil and Eccleſiaſtical entire.

4. THE ſtating of all Privileges, Trade, and other Advantages.

5. THE ſecuring the Conditions of the Union.

UPON the firſt Article to be conſider'd of, there may be this Queſtion, whether both Kingdoms were not united into one Monarchy under his Majeſty and his Heirs inſeparably, at the Moment Queen *Elizabeth* breathed her laſt. The Act of Recognition ſays ſo expreſly; if ſo, what can any Declaration, or Recognition, now further operate? It cannot ſtrengthen or add any Perfection to the King's Title; nay, it is an Injury to the Freedom of this Monarchy, which his Majeſty holds of GOD alone, to think ſo. And it may be doubted, how much it will contribute to preſerve the Peace, or carry on a War. For ſuppoſing there had been in the Years 39 or 66, a ſtricter Union, or rather Incorporation of the two Kingdoms declared, than there is at this Time; ſuppoſe there had been but one Crown, one Great Seal, one Exchequer of *Great Britain*, would that have been any Advantage to his late Majeſty, againſt the *Scots* in 1639; or to his preſent Majeſty, againſt the *Dutch* and *French* in the Year 1666? I doubt it would not. For the King of *Great Britain*'s Commands would not have been more effectual, nor his Treaſure more abounding, than were thoſe of the King of *England*. For the *Scots* being obliged to obey the King in the firſt Caſe, and to aſſiſt him in the other, by the ſtricteſt Bond of natural Allegiance and Duty; it were in Vain to hope, that any Compacts or Articles of Confederation ſhould be of ſtronger Obligation than that, which the Law of GOD, of Nature, and of Nations, had impoſed upon every Man, by the ſame Degrees that Children and Servants obey their Parents, or the common Father of the Family.

HOWEVER, there had need be a real Benefit to the Monarchy, before ſuch Things be ſubjected to vulgar Speculation, and particularly the Entail of the Crown upon King *James*'s Line, in the ſame Words as the meaneſt Inheritances. Whereas there is no Man can imagine a Title againſt that Royal Line; there is no Subject in *England* has a greater Number of Heirs in Proſpect than the King hath, and ſo nothing can be leſs ſeaſonable than this Speculation. If it be intended as a Reſpect to his Majeſty, it cannot neceſſarily be underſtood to be ſo; for ſince the late Rebellion could not invent any Pretence to diſpute the Legality of his Deſcent, that Reſpect would be better expreſs'd in not intimating a Poſſibility of Failure in King *James*'s Line, and conſequently that the two Crowns are no longer to be inſeparable, than that Line happens to laſt. Nor is that Separation to be taken eaſily for granted, even according to the Maxims of Common Law.

FOR ſuppoſing two Things, which the Common Law takes for Grounds. 1. That no King can die without Heir, and his true Heir is always the next of Kin and Blood to his Perſon. 2. That no King can have two Heirs, ſince the next in Blood does always ſucceed; and that the Inheritance, whatever Acceſſion of Conqueſt or Deſcent happen to it, is indiviſible. For tho' a private Subject may have Heirs of the Father's, and other Heirs of the Mother's Side, yet the King ſhall have but one Heir, the next of Blood to be preferr'd, and conſequently if there happens a Monarch of *Great Britain* (which I hope never will) that may be ſaid to be the laſt of King *James*'s Line, the next in Blood to him, whether he happen

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to be of the Royal Line of *England*, or not, ought by the Law of Nations (a prevailing Sword may indeed decide it otherwiſe) to be the ſole Inheritor of *Great Britain*, and all the Dominions belonging to it.

It was in Contemplation of this Contingency that *Lewis* XIII. of *France* annex'd the Kingdom of *Navarre* to the Crown of *France* inſeparably, without mentioning himſelf, or his Heirs; for tho' the Line of *Bourbon* ſhould fail, the Heirs general of *Henry* the Great, of *France*, will be no more allow'd Title to that Crown, tho' it came in by them, than there was allow'd by the Line of *Bourbon*, when the Crown of *France* was devolved upon them, under the Heirs general of *Francis* I. by and under whom the Dutchy of *Bretagne* came to be annexed to the *French* Monarchy.

But ſuppoſing a ſtricter Union not only practicable, but neceſſary at this Time to be entered into; there are ſome Objections that ſeem to preſs for Anſwer.

1. King *James* in his Proclamation 20*th* of *October*, 1604. does indeed aſſume the Stile of *Great Britain*, as to all Addreſſes and Diſpatches at Home and Abroad, and declares it ſhall have a Retroſpect to the firſt Day of his coming to the Crown; but he expreſly provides, that that Title ſhall not be extended to any legal Proceedings, Inſtruments, or Aſſurances. The Reaſon of this Caution is, in a rough Draught that I have ſeen of this Proclamation, drawn by Sir *Francis Bacon*, afterwards Lord Chancellor, that the Judges had delivered their Opinion to the King, that ſuch an Alteration might be of dangerous Conſequence, tho' it ſhould be enacted by Parliament.

And whether there may any Queſtion ariſe about Precedency upon this new Name, no Man is able to foreſee, for there was a Time that the Title of Emperor of the *Gauls* was thought more ſubject to Cavils, than that of *France*. And as there may be Difficulties about the Current Species of Money, ſo there may be about the Treaſon and Trial of Coiners, and other Species of High Treaſon, eſpecially if the Laws do ſtand unalter'd, as 'tis propoſed.

2. The Commiſſioners that ſate immediately after that Proclamation, do not determine any Thing upon this Point. Nay, Sir *Edward Coke* ſays, there aroſe a Queſtion among them, whether there could be made an Union of both Kingdoms by raiſing a new Kingdom before there could be an Union of the Laws. This Sir *Edward Coke* ſays, tho' I muſt confeſs I cannot ſee (under Correction of ſo great an Authority) how Names and Words ſhould be ſo intrinſick to Laws and Things, but that King *James* might as well call his Soveraignty *Great Britain*, as *Egbert* the *Saxon* King, who was the firſt that called it *England*; and why an Act of Parliament may not as effectually declare, that thoſe Laws and Cuſtoms, which were formerly called the Laws and Cuſtoms of *England* and *Scotland* reſpectively, ſhould be from henceforth reputed and taken for the Laws and Cuſtoms of *Great Britain*, as well as an Act of Parliament now can naturalize a mere Alien, and make him in Fiction of Law a Subject born, or make the Daughters and Heirs apparent to inherit during the Life of the Anceſtor.

3. The Preſidents both at Home and Abroad do not ſeem to countenance this ſtrict Union of making two Crowns to be one; *Navarre* united to *France* under *Lewis* XIII. yet that King retains the Name of that Kingdom diſtinctly in his Stile; nay, he writes himſelf *Dauphin*, &c. *Compte de Provence & Folcalquier*, when he ſends his Miſſives or Placards into thoſe Countries. Not to mention the long Stile of the Catholick King, who never curtails it but on his Coin. Nor to mention the Seigneuries that our Kings held in *France*, which could not be ſo well united to *England*, while they moved as Fiefs to that Crown. When *Ed.* III. conceived he had a juſt Title, not by Conqueſt, but by Deſcent, to the whole Kingdom of *France*, and aſſumed the Name of it into his Stile, and the Arms into his Scutcheon; yet he proceeded not to any farther Union, but by an expreſs Statute xiiii *Ed.* III. declared that he intended to govern both Kingdoms diſtinctly, as independent one of the other.

The *ſecond* Head is, the reducing of both Parliaments into one. The Queſtion that firſt offers it ſelf here is, whether my Lords the Commiſſioners of *Scotland* have a ſufficient Power to treat of this Head; there is nothing of it in expreſs Words; and that general Words cannot import a Thing of greater Weight and Conſequence than any Thing that is ſpecified or particularized in their Commiſſion, is a Rule in the Civil Law which is received for the competent Standard of all Treaties. Now if the altering of a Fundamental in Government ſhall never be preſumed in Law to tend to the Good and Weal of that Kingdom, their Commiſſion ſhall not be extended to any Thing of ſo univerſal an Importance. For all Commiſſions and Mandates being determined by Law to be *ſtricti Juris*, it cannot be well conceived that a Thing ſhall be left to his Diſcretion, which is of greater Importance than any Thing mentioned in his Commiſſion.

I will

I will not go any higher, and ask whether the Legiſlative Power there, hath Authority to transfuſe itſelf into any other Body, and to give Laws to the Subjects (ſtanding the Bounds of both Kingdoms as they are and muſt be, while the Laws do remain diſtinct as they are in a foreign Place, as much out of their Juriſdiction, as if they were in the middle of *France* or *Spain*) Neither will I ask, whether they could give the Commiſſioners ſuch a Power? For if Prince and People cannot alienate and ſubject an Empire, otherwiſe independent, 'tis not to be imagined, that they can alter what is fundamental in the Legiſlative Power. 'Tis upon this Account, that we denied the Power of King *John*, to ſubmit himſelf as feudatory to the Pope. But it may be worth the while to be inform'd, how far the *Salvo Jure*, that paſſes at the Cloſe of every Seſſion or Parliament in *Scotland*, has an Influence upon this Article; for if all the Members that compoſe both Houſes in *Scotland*, be not intended to ſit here, the Lords and others that ſhall be left out, may poſſibly not be concluded by that Act.

If the Legiſlative Power here ſhould enact a hard Law upon *Scotland*, (for Inſtance, the Proportion of Taxes upon ſome Parts of *England*, is thought to be heavier than upon ſome other) and ſo it may be upon *Scotland*, in Compariſon of the other Half of *Great Britain*; it is not to be wondred, if they at Home impute it to the fewneſs of their Numbers here; and, generally ſpeaking, nothing can be more ungrateful to a People affecting Liberty, as all our *Northern* and warlike Nations do. For where the Union is by Blood and Deſcent, under one common Father, all Inequalities are intolerable; where it is by Act of State and Compoſition, there it cannot laſt longer than the Motives to it, and the Benefits ariſing from it.

As to the preſerving of the Laws entire in both Kingdoms, which is the chief Thing that makes the Government diſtinct, it does not ſeem practicable with the Union that is now intended. For ſuppoſing the Legiſlative Power to be the ſame, the Laws cannot be diſtinct. King *James* in his Speeches, his two Houſes of Parliament, in their Act 4 *Jac.* the Judges of *England*, and Sir *Francis Bacon*, (in their Argument upon *Calvin*'s Caſe, all great Authorities) do agree, that the Union cannot be perfect, till both Kingdoms are govern'd by one and the ſame Law.

King *James* and Sir *Francis Bacon* go further, to ſhew what they mean by one Law; they do not mean, that the Laws which govern Inheritances and Properties ſhould be alter'd; but they ſay, the Laws of *England* ſhould be digeſted into a better Method, and a leſſer Bulk, that they might be fit to be impoſed upon *Scotland*, as ſomething better than their own; for the *Engliſh* Laws cannot be reommendable to the *Scots*, nor theirs to us, but ſo far only as they exceed the one the other, in Comprehenſiveneſs, Equity, due Execution, and Diſpatch. But King *James* did not think the two Kingdoms fitted to receive one Law, becauſe there was not ſuch a Body of Law fit to be impoſed upon both Kingdoms; and if that be the Caſe, we labour under the ſame Unfitneſs ſtill.

That learned King, and his learned Attorney Sir *Francis Bacon*, ſeem to have look'd upon the compoſing a Body of Laws, for both Kingdoms, as a Thing practicable, which poſſibly might have been, while the Nations were leſs ſearching, and their Princes gave Laws, as ſome of ours did *Magna Charta*, or as the Moſt Chriſtian King does at this Time his Edicts; but ſince there are ſo many that concern themſelves in the making of them, it would be a Work tedious, if not impoſſible, to go through with.

But at preſent, the Laws of *Scotland* are widely different from thoſe of *England*; firſt in Matters of Deſcent, then of collateral Succeſſion, not to give any more Inſtances. For in *Scotland*, a Son born out of Wedlock, if he happen to come afterwards within the Protection of Wedlock, by the Intermarriage of his Parents, ſhall inherit before his Brother born after in Wedlock: In *England* it is not ſo; the Mulier (as we call it) ſhall inherit, and not he that is born before Wedlock.

In collateral Succeſſions, a Brother of the half Blood ſhall ſucceed to his Brother dying without Iſſue, and not the Siſter of the whole Blood, nor the Uncle, as it is in *England*. However, I cannot conceive it to be ſuch a Prejudice to the Union to have diſtinct Laws, as to Matters of Property and Tenures, as that it is worth while to reduce them to an Uniformity; tho' as long as theſe Cuſtoms do ſtand, it will unavoidably follow, that one and the ſame Perſon may be his Father's and his Brother's Heir in one Kingdom, and yet uncapable of being ſo in the other. Which yet I confeſs is no more, but what daily happens by Reaſon of Diverſity of Tenures, (ſuch as *Gavelkind* and *Burgage*) in ſeveral Places of *England*; and yet is no Prejudice to the common Courſe of Deſcents.

BESIDES, thoſe Laws which concern Deſcents, Tenures, and Inheritances, cannot be altered without great Prejudice, yea, Ruin to ſome Perſons and Families; for inſtance, if all the Tenures in *Scotland* were turned into Socage, how great would the Loſs of the Crown and Nobility be in the Wards and Reliefs? So that 'tis hard to reconcile the Propoſition of the Lords Commiſſioners of *Scotland* upon the 2*d* Head of his Majeſty's Meſſage, with the Senſe of the Lords and Commons in Parliament under King *James*. But if by Laws, be meant Orders of Policy, Regulation of Trade, Reformation of Proceedings in Courts of Juſtice, there may and will be need of an infinite Number of new Laws; but whether thoſe calculated for this Place will be proper for that, may be ſo much the more to be doubted, as the Dependance of the People is more ſtrict and abſolute upon their Lords in *Scotland*, than it is here.

BUT as their Lordſhips will have a greater Care in this Treaty of the Rights of the Crown, than of private Inheritances; ſo it is worth the while to inquire, what Laws or Cuſtoms there be (if any there be at all) in either Kingdom, that do ſpeak of, or in any wiſe determine the Deſcents or Succeſſions of the reſpective Crowns, and if they do, how far they agree the one with the other. I cannot but think that the Kingdom of *England* is ſo abſolute and free a Monarchy, as not to be capable of any ſuch Law; and tho' ſome of our Kings have thought it an Advantage to have the Countenance of an Act of Parliament, to ſuch or ſuch a Line, or to ſuch and ſuch a Limitation, yet the Succeſs anſwered nothing what they expected.

WHETHER it be ſo in *Scotland* or not, is certainly worth our Enquiry; for beſides that in all Times the *Scots* have been troubleſome to their Princes, (if their Hiſtories be true) there is a Record of our own, which makes me think this Enquiry neceſſary. It is that which is called *Rotul. de Superioritate Regis Angliæ in Regno Scotiæ, & fidelitate & homagio Regum & Regni Scotiæ Regi Angliæ, Annis* 19, 20, *&c. Reg. Ed.* I. That Roll has, among other Things, the Pretenſions of ſeveral Perſons to the Crown of *Scotland*, particularly of *John Baliol* and *Robert Bruce*, who had the faireſt Titles, and the niceſt Caſes of all the Pretenders.

K. *Edward* I. who was Superior *Dominus Scotiæ*, was to determine this Controverſy; having ſummoned before him 80 *Scotchmen*, and 24 *Engliſhmen*, of the beſt experienced, and moſt verſed in the Laws and Cuſtoms of *Scotland* and *England*, cauſed them to be all ſworn to give him faithful Advice, and the beſt Aſſiſtance they could, in order to ſettle the Crown of *Scotland* upon him that had Right to ſucceed, as his Homager. Theſe 104 Perſons having met together, and not agreeing upon their Verdict, came to the King, and deſired to be excuſed, in that they did not give any Opinion in an Affair ſo arduous, and deſired further Aſſiſtance; which obliged the King to call a Parliament at *Berwick*. The Parliament being met, and alſo the 80 *Scotchmen*, and 24 *Engliſhmen* together, one of the Queſtions propoſed to them by the King was, what Laws and Cuſtoms they adviſed him to proceed by, in caſe there ſhould be no Laws found in *Scotland*, clear and deciſive in the Point then before him? The Anſwer was, that he ſhould proceed by the Laws of *England*.

I only mention this to your Highneſs, to ſhew, the Queſtion is not altogether ſo clear, but deſerves an Enquiry. Beſides, it is remarkable, that in all the Unions Abroad, as that of *Navarre* and *Bern* with *France*, that of *Portugal* and *Arragon* with *Caſtile*, that of the *Low Countries* and *Burgundy* under the Houſe of *Auſtria*, that of the Seven United Provinces under the States, that of *Lithuania* to the Crown of *Poland*, and of ſeveral Territories in *Italy* to the Eccleſiaſtical States, *&c.* the reſpective Laws, Liberties, and Privileges of the Places united, have been reſerved unto them entire; and 'tis no Prejudice to the Government of *France*, that one half of it in a manner is *païs de droit eſcrit*, the other half is *païs coutumier*. Nor is it any Diſadvantage to any of his Majeſty's Iſles or Plantations Abroad, that they have few or none of the Writs or Forms of Proceedings, Civil or Criminal, that now obtains in *England*. But in the Union of *France* and *Navarre*, which was a Thing of the greateſt Difficulty and Deliberation, all their Courts of Juſtice, Laws, Liberties, and Privileges, were reſerved unto them, excepting ſuch only as would be an Hindrance to the full Execution of the Union; they were ſo far from making the Parliament of *Pau* ſubject to any other, that they did diſmember ſome Provinces which had the Reſort to the Parliament of *Bourdeaux*, and annex them to that of *Pau*, that that Parliament, by enlarging the Bounds of its Juriſdiction, might be more capable to entertain the Grandeurs of a Soveraign Court.

A 4*th* Head, is that of Trade and Privileges, the Power whereof is ſufficiently demonſtrated in the Union which it begets between *Turks*, *Moors*, and Savages: If my Lords of *Scotland* have ſuch Conceſſions made to them, as that Nation may find their Account more fully in an Union with *England*, than an Independency among themſelves,

ſelves, or a ſtrict Alliance from Abroad can pretend to give them, they will by degrees conform and incorporate themſelves, beyond what all the Laws and Acts of State can work upon them. And it ſeems reaſonable that they ſhould have more Benefit from our Trade, than theirs is able to compenſate to us: For the Security which their firm Adherence to *England* will give it, is worth purchaſing with an amicable Advantage to them in Trade and Commerce; ſince the Maintenance of an Army (which is the only other Way to ſecure the back Door) will have more of Burthen and Danger in it.

As to the Animoſities that are among the vulgar, they are the Effects of Immorality and Churliſhneſs. Every Gentleman, in proportion to his good Breeding and Acquaintance with the World, being free from that Weakneſs. And that Commerce is the only Cure for that Rudeneſs, is very demonſtrable from the peaceable and quiet Condition of the Borders of *Scotland* now, in compariſon of what they were upon the coming in of K. *James*. In *Wales* likewiſe, we ſee that ſuch *Engliſh* and *Welch* as traffick one with another in the ſame Markets, have no Contempts or Animoſities to diſoblige one another; but thoſe *Welch* that live in the Mountainous Parts, and have no Traffick with the *Engliſh*, are not yet diveſted of thoſe vain Notions and Prejudices againſt the *Engliſh*, which their Anceſtors had ſevenſcore Years ago, before the Annexation of that Principality to the Crown of *England*. Nor is it otherwiſe between the *Gaſcoigns* and the *French*, the *Biſcanners* and the *Spaniards*, who are not reconciled the one to the other by virtue of their Union under the reſpective Governments, but in proportion to their mutual Traffick and Correſpondence.

The more liberal his Majeſty ſhall pleaſe to be of Privileges and Preferments to their Nobility in this Court, the more will the Publick Peace and Union be ſecured. For the Want of a Court in *Scotland* will be better digeſted by that Warmth, and the Dependency of thoſe of inferiour Ranks will be ſtricter upon the Nobles in this Court.

If therefore the two Kingdoms be united to all the Effects that can be imagined in Law, or hoped for in Policy; if there be no need of changing the Laws, and much Difficulty, if not Danger, in incorporating the two Parliaments; if the Commiſſioners under K. *James* treated of nothing but of Trade and Commerce; if K. *James*, in his Speech, declared that the Union of Laws, and conſequently of Policy, was at that Time impoſſible; if he demanded of the Parliament but three Things, 1. The aboliſhing all Laws and Memories of Hoſtilities, which is now done. 2. That all of the *Scottiſh* Nation ſhould be reputed as natural born Subjects of *England*; which, tho' it was not then done by Act of Parliament at that Time, yet is now the received Law; all *Scotchmen*, except the *Ante-nati*, I mean thoſe few Climacteries that were born before this Crown was devolved upon K. *James*, being capable of inheriting, and of all Privileges, as fully as if they had been born within this Kingdom. The 3 *d* and laſt Thing which K. *James* deſired, was a mutual Freedom of Trade and Commerce; wherein the Commiſſioners in the Year 1604 adjuſted many Articles of great Importance to the Publick; but that Parliament paſſing nothing purſuant to the Agreement of their Commiſſioners, his Majeſty will have the Happineſs to begin, where the King his Grandfather left off; and having compleated that, which, if K. *James* were now alive, he would think the only Thing wanting, his Majeſty will have the leſs Concern to puſh at an Union that the King his Grandfather hoped not for, at leaſtwiſe judged it not neceſſary; the Union being, as now it ſtands, in the Eye of the Law of Nature and Nations, as perfect, ſtrong, and indiſſoluble, as any Union whatſoever now in *Chriſtendom*. I am, *&c.*

L. Jenkins.

To his Excellency the Lord Ambaſſador Jenkins.

My Lord, *Windſor-Caſtle, July* 15. 1679.

Since mine in Anſwer to your former, I have received a ſecond from your Excellency; and alſo read yours to my Lord *Sunderland* upon the ſame Subject, full of many good Reaſons, to diſſwade you from receiving the Preſent M. *Colbert* offer'd you from the King his Maſter. His Lordſhip, by the King's Direction, was pleaſed to ask my Opinion thereupon: I told him, I was loth to give any againſt your taking of it, conſidering what Pains and Expence your Embaſſy had coſt you, and how much you moſt juſtly deſerved from all the Parties; but, on the other Hand, conſidering the Circumſtances of Things, and the Reaſons intimated by you, I durſt not adviſe the preſſing of you to take it. Thus I left the Matter with him, only I ſhould ſay, I added further, that if you ſhould at laſt think moſt proper to refuſe it, methought his Majeſty ought to give you the Value of it. My preſent ill State

of

of Health will not permit me to add any Thing further, but the Aſſurance of my being always, *&c.*

Arlington.

To the Earl of Arlington, *Lord Chamberlain.*

My moſt Honoured Lord, *July* 24. 1679.

I Have in your Lordſhip's Letter of the 15*th*, a moſt noble Inſtance of that infinite Goodneſs you are pleaſed to have for me. I moſt humbly beſeech your Lordſhip, notwithſtanding all that noble Goodneſs, to believe, that I am the moſt in earneſt that any Man can be, and that I deſire nothing more paſſionately, than that your Lordſhip would be pleaſed to deliver your Opinion to his Majeſty clearly and poſitively, againſt my receiving the Moſt Chriſtian King's Preſent. I have very great Conviction within me, that I ought not to receive it; and I am the furtheſt poſſible from any Pretence or Thought, that his Majeſty ſhould do me the Honour of ſending me his Commands to take this Preſent: Nor do I deſire that his Majeſty ſhould in the leaſt authorize me to excuſe myſelf, but ſhall be content to be left to the Cenſure of the old Verſe, *Quis niſi mentis inops oblatum reſpuat aurum.* My humble Petition therefore to his Majeſty is, that no Injunction, at the Inſtance of M. *Barillon*, may be laid upon me; but that I may be left to myſelf, not only in Regard of the Moſt Chriſtian King, but alſo of the Emperor, and of all the other Princes and Potentates. I leave it to your Lordſhip to judge, if his Majeſty had not all the Reaſon in the World to take it very ill of me, if I ſhould take any manner of Preſent from the Emperor, living in the manner I do here with his Ambaſſadors; for I have never ſeen them but at the Requiſition of other Miniſters, and that upon Buſineſs that related to the Publick Peace, ſince they refuſed in *January* laſt the firſt Column, that was due to Sir *W. Temple* and myſelf, at the ſigning of the Emperor's Peace. I will not ſay how becoming it would have been for the *French* Ambaſſadors, to have had ſome little Difficulty upon that Head, and not to have ſigned without us; but I will ſay between your Lordſhip and myſelf, that they have made this Pretenſion of ours, all along this Negotiation, to be of extream Conſequence to all Crown'd Heads; (alledging, that if all Kings gave a Precedence to his Majeſty, and the Emperor did not, then it muſt follow, that he is of a Rank and Order other and higher than that of Kings, which the Moſt Chriſtian King would never hear of) and that they, the *French* Ambaſſadors, who carried not only every Point, but the minuteſt Trifle that they thought fit to ſtand upon in this Treaty with the Emperor, might have carried this Point too, had they ſtood upon it for us. There is Reaſon enough to complain of others, and to refuſe their Preſents, if they ſhould offer me any; but my moſt humble Suit at preſent is, to be by your Lordſhip's Favour excuſed from receiving that of the *French* Ambaſſador's, and it will be an infinite Favour to me, who am, *&c.*

L. Jenkins.

A Monſieur Jenkins.

MONSIEUR, *De la Haye le* 9 *de Dec.* 1679.

MONSIEUR le Prince & Evêque de *Gourk* ayant pris le chemin de *Nimegue* vers les Eaux & Bains de Carlsbar y a fait un tour pour remettre un peu ſa ſanté, à preſquoy s'eſtant rendu depuis quelques ſemaines à la Cour, il a fait un tel rapport du ſoins que Meſſieurs les Miniſtres de ſa Majeſté *Britannique*, & principalement vôtre Excellence avoit priſe à *Nimegue* pour moyener la paix, que ſa Majeſté en a eu une ſatisfaction particuliere, & a volu le temoigner par quelque recognoiſſance. C'eſt pourquoy elle a commandé de faire tenir à vôtre Excellence un bijoux, qu'elle trouvera dans la boete cy annexée, cachetée de mes armes, qui luy ſera conſigne par M. de *Nautits* Secretaire de ſa Majeſté que eſt à *Londre*, ou en ſon abſence, par le Sieur *Jean Van Caere* Merchant Banquier à *Londres*. Je ſuis bein aiſe que par cette conjuncture j'ay l'occaſion d'aſſeurer que je ſuis, de vôtre Excellence, *&c.*

D. J. Crampricus, Conſeiller & Reſid. de ſa Majeſté.

The Emperor's Letter to Sir Leoline Jenkins.

Leopoldus, Divinâ favente Clementiâ, Electus Romanorum Imperator ſemper Auguſtus

Generoſe, ſincerè dilecte,

CUM nobis noſtri ad Tractatûs Pacis Univerſalis Legati Plenipotentiarii ſignificarent, vos pace, cum bono Deo, conclusâ, reditum ad Aulam Regiam *Londinum*

parare, omittere ſanè noluimus pro eo ac diuturnus ille aſſiduuſq; in re omnium graviſſimà ac ſummè arduà toti Reipublicæ Chriſtianæ præclarâ cum veſtra, quâ fidei, quâ prudentiæ ac dexteritatis laude, a Vobis impenſus labor & ſollicitudo meretur, quin vobis benevoli & grati animi noſtri teſſeram hiſce impertiremur ; non felix modo iter in patriam comprecantes, ſed benignas quoq; gratias pro operâ tam ſollicità, in causâ longe omnium graviſſimâ ac difficillimâ adeo indefeſſè ad gratam ſatisfactionem noſtram navatâ agentes. Faxit divina bonitas, ut opus concluſum mox ad deſideratam perfectionem perducatur, cedatq; cùm in majorem nominis ſui gloriam tùm & totius quoq; Reipublicæ Chriſtianæ, noſtrumq; & ſacri Imperii bonum & ſolatium, vobis vero ad nunquam intermorituri decoris perenne augmentum. Apud nos ſanè, ſicuti meriti hujus memoria nunquam extinguetur, ita & omnis occaſio optata veniet quâ cum re ipsâ benigne benevoléque comprobare poſſimus, de quo vobis hiſce conſtare voluimus. Quæ dabantur in civitate noſtrâ *Viennæ* die 26 Menſis *Julii*, Anno Dom. 1679. Regnorum noſtr' *Romani* 22. *Hungarici* 25. *Bohemici* vero 23.

Leopoldus Guillielmus
Comes in Kinigseggs.
Chriſtop. Beven.

Sacra Cæſarea Regiaq; Majeſtas,

LITERAS, à ſacrâ Cæſareâ Majeſtate veſtra 26 præteriti menſis ad me datas non ſolum venerabundus, uti par erat, ſed & planè ſtupefactus ad tantæ Majeſtatis demiſſionem, accepi. Certè ſuperat omnem gratias agendi facultatem Auguſta illa demerendi ratio ; imò animi mei ſenſa, quantumvis aliàs grata & veneratione plena deliquio quodam ex ſummâ reverentiâ oborto correpta, tantum non obmuteſcunt ; verbis quippe tantæ dignationi pro merito agnoſcendæ & excolendæ idoneis prorſùs deſtituta : Quod autem ſtudio & opella noſtra in Provinciâ illâ ſane difficili quâ hic functus ſum, Sacræ Ceſareæ Majeſtati veſtræ non ingrata ſit, ex illâ Benignitate quæ Divinam proprius attingit, profluere, humillime agnoſco : tandem verò illam quâ me cumulatum voluit, ex imbecillitatis propriæ conſcientiâ refugere neceſſe habeo, conatuſq; meos decore plus ſatis magnifico honeſtatos duxero modo eoſdem veniâ non indignos Sac. Cæſarea Majeſtas veſtra æſtimaverit : quod ſi majores vires mihi ſuppetiſſent non alio certè in negotio, quam in iſto omnium graviſſimo, lubentius aut diligentius uti iis maluiſſem. Expiabunt etiam quadantenùs, uti ſpero conatuum meorum tenuitatem molimina & contentiones illæ enixiſſimæ a Sacrâ Regia Majeſtate Domino meo Clementiſſimo tot annos pro pace per *Europam* reſtauranda exantlata ; Saltem de meritis & gloriâ Regis optimi haud quaquam delibabit quod humeri noſtri tanto oneri haud ex æquo reſponderint. Deo Opt. Max. ſupremo Belli & Pacis Arbitro Gratias, prout par eſt immortales ! quod populo ſuo laboranti & ad extremas quaſq; anguſtias redacto, hâc pace (quam univerſalem fore brevi ſpes eſt) conſultum voluerit ; Faxit eadem divina bonitas ut pax hæc integra & illibata maneat & ad ſeros nepotes uſq; derivari poſſit utq; Sacra Cæſarea Majeſtas veſtra quam diutiſſimé vigeat incolumis ac feliciſſimo Rerum atq; Conſiliorum ſuorum progreſſu & eventu perpetuùm florentiſſima. Dabam Noviomagi 8 die *Auguſti* Anno Dom. 1679. Sacræ Ceſareæ Regiæq; Majeſtatis veſtræ, *&c.*

L. Jenkins.

Meſſieurs les Bourgomaiſtres de Nimegue, *à S. Exc. M.* Jenkins.

Tres Noble & Tres Excellent Seigneur,

MErcredy paſſé le peintre Tuart nous delivra le Pourtraict de vôtre Excellence, au quel il a fait tout ce qu'on a pu attendre d'un excellent peyntre, Nous avons voulu vous en donner cet advis, non ſeulement à fin que le Sieur Tuart euſt un tesmoignage d'avoir ſatisfait à vos Ordres, Mais ſur tout auſſi, pour vous remercier de l'honneur, que nous & tout le Corps de cette Ville avons receu par la ; Le dit Sieur Tuart nous à donne ſujet d'eſperer que nous reçevrons auſſi bien tôt les Pourtraits des Meſſieurs *Hyde* & *Temple* ; vôtre Excellence ayant eu la bonté de les en prier de nôtre part, & eux de l'accorder, en ſorte que le dit Sieur Tuart leur auroit deja envoyé la meſure du tableau ; Nous aurons ſoin que les reſpects que nous portons tant à vos Characteres, qu' a vos perſonnes ſoit conſervé par tout, vous aſſeurant en particulier, que nous garderons pour toûjours dedans nos cœurs la ſouvenance de l' honneur, des Amities, des Civilites, & des avis ſalutaires en beaucoup de difficultez, que nous avons reçeu de vôtre Excellence pendant vôtre tres honorable reſidence chez nous, La

quelle

quelle ſouvenance nous fournira en tout temps un Pourtrait, plus accomply, d'une bonté ſinguliere, d'une Genie fait pour la paix, & des toutes autres vertus & qualités, qui ont eſtez neceſſaires à un Mediateur de la Paix univerſelle, que jamais peintre ne nous auroit peu faire de vôtre perſonne. Par les quelles hautes qualités auſſi vous eſte tellement acquis nos cœurs, & nos affections, que nous demeurerons perpetuellement, vôtre tres humbles Serviteurs & Amis, les Bourgomaiſtres, Echevins, & Conſeillers de la *Nimeguen*. Au nom de ſuſdits.

Nimegue ce 15 *Nov.* 1679. *Coenraedt Singendonck. Wil. Waters.*

Reſponſe à Meſſieurs les Bourgomaiſtres de Nimegue.

MESSIEURS,

JE ſuis bien faché de me voir prevenu par vôtre Lettre, ſi obligeante du 15 *Novembre*, qui me porte la continuation de vôtre Amitié, & un ſurcroiſt de tant de civilitez deja receües ; Mais je ne ſçaurois etre tout à fait ſi vain, que d'appliquer à moy meſme l'honneur que vous me faites par vôtre Lettre & les ſouvenances ſi obligeantes dont elle parle, Je les crois plûtôt des marques du reſpect que vôtre ville porte, & que Meſſieurs vos Magiſtrats ont temoigné tant des foiis pour le Roy mon Maître. Ce me ſeroit pourtant une grand joye que de pouvoir étre aucunement ſerviceable à vôtre Ville, ou à aucun particulier de vôtre Corps, Ce qui me manqua juſques icy, encore que les ordres de ſa Majeſté auſſi bien que ma propre affection m'y portaſſent. Je ne doute pas, que Meſſieurs mes Collegues n'eurent les meſmes ordres & reſſentiments ; Et comme vous nous faites eſperer, Meſſieurs, que nos portraits auront le rang & lieu deu à nôtre Caractere & Fonction dans vôtre maiſon de Ville, en ſouvenance d'une piece de la paix generale qu'on y a formée, aſſurez vous auſſi que votre Ville aura toûjour la premiere place ſur les tableaux de nos Cœurs. Je ſuis bein aiſe que le peintre *Anglois* vous à donné quelque contentement, bien qu'en acceptant ce qu'il fit, & en le mettant parmy tant des Patriots & Pacifiques. Vous redoublez tellement mes Obligations perſonnelles qu'il me falloit employer quelque main & plume plus habile que la mienne pour en faire mes reconnoiſſances : ou il faut, comme font les Coſmographes, repreſenter des choſes preſque immenſes par un trait ; puiſque je ne ſeray jamais capable de monſtrer en effect, combien je ſuis en verité, & ſeray toute ma vie, MESSIEURS, *&c.*

L. Jenkins.

Meſſieurs les Etats de Zealand, *à M.* Jenkins.

MONSIEUR,

NOUS ne doutons pas que vôtre Excellence durant le temps de ſon emploie aupres de cet Eſtat, a receu tant de preuves d'eſtime pour ſa Perſonne & Caractere, qu'elle en eſt demeurée entierment ſatisfaite ; Et comme nous avons eu toûjours, & même dans les Conjunctures les plus difficiles, un Zele tres particulier pour la perſonne ſacrée de ſa Majeſté de la *Grand Bretagne*, & par conſequent pour ſes Miniſtres, & particulierement pour Vôtre Excellence, à cauſe de beaucoup de belles Qualités & vertus qui ſe rencontrent en elle, nous ſommes autant plus faſchez du mécontentement, que nous venons d'entendre que vôtre Excellence continue contre les officiers de recherche à *Lillo*, à cauſe qu'ils n'avoient pas temoigné le reſpect que vôtre Excellence en ſuitte de ſon haut Employ, avoit attendu d'eux, nous avons donné ordre d'examiner cette affaire plus exactement, pour en montrer nôtre reſſentiment contre ceux, qui en ſeroient trouvez coupables, & ainſi de ſatisfaire en même temps à ce, que Vôtre Excellence pourroit deſirer de nous, & nous ne doutons nullement que ce ſoin donnera tant de Satisfaction à Vôtre Excellence, qu'elle ne pours-uivra plus cette faſcheuſe affaire, Mais la voudra plûtôt mettre en oblie, & nous donner par là une nouvelle marque de ſa prudence & generoſité. Au reſte, nous ſouhaitons, MONSIEUR, que le ciel vous conſerve long temps, pour le ſervice de ſon Roy en la Charge dont ſa Majeſté Vous a nouvellement honoré, dont même les communs intereſts en pourront grandement profiter. Eſcrite en nôtre Cour a *Middlebourg*, le 4 *Juillet* 1680.

CHARLES R.

OUR Will and Pleaſure is, that you forthwith prepare a Bill for Our Royal Signature, to paſs Our Privy Seal in the Words following :

C. R.

TO the Commiſſioners of Our Treaſury, and all other Officers of Our Exchequer now being, and to Our Treaſurer, Chancellor, and under Treaſurer of Our Exchequer, the Commiſſioners of Our Treaſury, and all other Officers and Miniſters of the Exchequer, that hereafter ſhall be, Greeting.

WHEREAS one Thouſand ſeven Hundred Sixty one Ounces a Quarter and half Quarter of an Ounce of white Plate, being the Parcels hereafter mentioned, were delivered out of Our Jewel-Houſe unto Our Right Truſty and Well-beloved Councellour, *Henry Coventry*, Eſq; one of Our Principal Secretaries of State, for the Service of his Table, as appears by Indenture made the 10*th* Day of *February*, in the 26*th* Year of Our Reign, between the ſaid *Henry Coventry* and Sir *Gilbert Talbot*, Knt. Maſter and Treaſurer of Our Jewels and Plate, which Parcels were as followeth: *Imprimis*, five large Diſhes *Ar. Gr. Poiz.* 666. 0. 0, &c.

AND whereas Seven Hundred thirty two Ounces and one quarter of gilt Plate, and three thouſand ſeven Hundred ninety nine Ounces half and half quarter of an Ounce of white Plate, being the Parcels hereafter mentioned, were delivered out of Our Jewel-Houſe unto Our Right Truſty and Well-beloved Councellour Sir *Leoline Jenkins*, Knt. for his Service in his Houſe, when We ſent him Our Ambaſſador Extraordinary to *Nimeguen*, as appears by Indenture made the 7*th* Day of *December*, in the ſeven and twentieth Year of Our Reign, between the ſaid Sir *Leoline Jenkins*, and the aforeſaid Sir *Gilbert Talbot*, the ſaid Sir *Leoline Jenkins* having, at the Expiration of the ſaid Embaſſy, redelivered the ſaid Plate into Our Jewel-Houſe, according to his Indenture, the Parcels whereof were as followeth: Two gilt chaced Baſons, two gilt chaced Flagons, *Ar. Gr. Poiz.* 594. 3. 0, &c.

Now know ye, that We, out of Our Princely Bounty, and in Conſideration of the many faithful and acceptable Services performed unto Us by the ſaid *Henry Coventry*, as well in Our Affairs and Embaſſies Abroad, as during the Time of his being Our Councellour and Secretary of State at Home, have thought fit freely to give and beſtow all the aforeſaid Quantities of gilt and white Plate upon him without Account, as well thoſe Parcels deliver'd to himſelf, as thoſe alſo delivered unto the ſaid Sir *L. Jenkins*, and redelivered by him as aforeſaid. Our Will and Pleaſure therefore is, and We do hereby authorize and command You forthwith to give Direction to the ſaid Sir *Gilbert*, to diſcharge the ſaid *H. Coventry* of all the ſaid white Plate, ſo delivered to him as aforeſaid, and to cancel and make void his ſaid Indenture for the ſame. And alſo to deliver unto him, the ſaid *Henry Coventry*, as of Our free Gift, all and every the ſaid Parcels of gilt and white Plate, which were delivered unto the ſaid Sir *L. Jenkins*, and by him redeliver'd into our Jewel-Houſe as aforeſaid. And theſe Our Letters being entered upon Record in Our Exchequer ſhall be unto You, and to Our Auditor, for allowing thereof upon the Account of the ſaid Maſter and Treaſurer of Our Jewels and Plate, and for diſcharging him of all the foreſaid Parcels of Plate, a ſufficient Warrant and Diſcharge. Given at Our Court at *Whitehall*, the 17*th* Day of *April* 1680. in the 32*d* Year of Our Reign.

To the Clerk of Our Signet attending.

To the Duke of York.

May it pleaſe your Royal Highneſs,

YOUR Highneſs will pardon me in preſuming again to touch upon a Point that ſeemed to be agreed by ſo many of my Lords of the Council. I have been ever ſince in great Anxiety, and hope your Highneſs will believe, that what I am now going to ſay, proceeds from an unfeigned Senſe of my Duty, and are the Sentiments of one that deſires nothing more than the Welfare of his Majeſty and your Royal Highneſs, and the Peace of the Kingdom.

THE Petition of the City, I muſt confeſs, is a moſt ſeditious Libel on his Majeſty, whoſe undoubted Prerogative it is, to prorogue or diſſolve the Parliament. It accuſes his Majeſty of interrupting the publick Juſtice of the Nation, and inſinuates as if he deſign'd to live without Parliaments, at a Time when he hath declared the contrary to all the World. And I confeſs it is the more heinous, in that they were not content to preſent it to his Majeſty's own Royal Hands, but, as it were in miſtruſt of his Juſtice, have already appealed to the People, and with great Induſtry have diſperſed it into ſeveral Parts of the Kingdom.

ALL this, and much more, I confeſs to your Highneſs; and ſhall as freely own, that altho' it may be lawful for the Subject to preſent their Petition for Redreſs in any

any of their Grievances or Neceſſities, yet that it ought to be in an humble and modeſt Manner, in Words of Honour and Obedience, and not in factious and tumultuous Terms; much leſs in Matters of State, or (as this is) to charge his Majeſty to his Face with Miſmanagement, and the Interruption of Juſtice. And it is ſome Aggravation I confeſs, in that the Offence is committed by the Common Council, as if they were the Common Council and Repreſentatives of the whole Nation, inſtead of this ſingle Corporation.

That a Corporation may commit Offences, and may be puniſhed for thoſe Offences, I ſhall not preſume to doubt, after what my Lord Chief Juſtice has ſaid upon that Subject; or that *London* may forfeit their Franchiſes for ſuch Offences, as well as any other Corporation. For as other Corporations are Creatures of the Crown, and commence by the Royal Authority, ſo does that of *London*, and conſequently is, or ought to be, as much under the King's Obedience, as any other Corporation. If there is any Difference, it is in this, that his Majeſty, and his Royal Predeceſſors, have been more bountiful and indulgent to them, than to any other City or Body of Men. For me, I ſay, to make a Doubt of this by any little Scruples of my own, would be, it ſeems, to unſettle Judgments, that have been given in former Times, in Caſes of the like Nature, and as my Lord Chief Juſtice was pleaſed to ſay, in the Caſe of this very Corporation.

I well know it is a Condition annexed to all Bodies politick, whether they be eſtabliſhed on Account of Religion or Policy, that the Truſt repoſed in them be fully and faithfully diſcharged. If it be not, and the Intention of their Erection not complied with, they become rather publick Grievances. And this Condition, tho' it is only implied by Law, yet is of as ſtrict an Obligation, as if it had been literally expreſſed in their Charters of Foundation.

But there can be as little Doubt, that it is in the Election of the Crown, and in his Majeſty's own Royal Breaſt, whether he will proceed for ſuch Offences or Breaches of Truſt, againſt the Parties delinquents, in their private, or in their publick Capacities; I ſhall therefore, with your Royal Highneſs's Permiſſion, next conſider, which Method of the two is moſt adviſeable, in the preſent Situation of Affairs.

The Petition may indeed be called, in Conſtruction of Law, the Act of the whole Corporation, inaſmuch as it was preſented by the Common Council, who are choſen by, and conſequently repreſent the whole Community; and their Acts may be, for what I know, of the ſame Force and Obligation in Law, as if done by every individual Member. But yet I am far from thinking, it really was the Act or Aſſent of the whole. There is abundant Reaſon to think, that this Act then was, and ſtill is diſapproved; nay, I can affirm upon my own Knowledge, is deteſted by many thouſands of his Majeſty's loyal Subjects in the City; and your Highneſs well knows, who were the chief Promoters of this, as well as of ſome other late Acts of Diſloyalty.

Your Highneſs will alſo, I doubt not, conſider, that all corporate Bodies determine their Acts by the Majority, and that Majority often not above one or two Votes; ſometimes their Reſolutions are carried by Surprize, and undue Management or Miſrepreſentations, as I doubt not but this was; and therefore I muſt humbly ſubmit to your Highneſs, whether it be reaſonable or juſt, in ſuch a Caſe, for the whole Corporation to ſuffer; and many innocent Perſons, who did not at all concur, to be involved in one and the ſame Meaſure of Puniſhment. Let not your Highneſs be angry, and I will yet ſpeak; had the Petitioners committed even ſome greater Offence, (as I take leave to ſuppoſe they might have committed) they could not undergo a greater Degree of Puniſhment than what is now propoſed, *viz.* the entire Forfeiture of their Privileges, and of their very Being as a Corporation.

Your Highneſs, I doubt not, will alſo conſider the many Miſchiefs and Inconveniencies that muſt neceſſarily follow, if this great Body ſhould be diſſolved for ever ſo ſmall a Time, even tho' his Majeſty in his Goodneſs ſhould deſign it only *in terrorem*, and to awaken them into a due Senſe of their Obedience; and when that gracious End is obtained, ſhould be pleaſed to reſtore them to their former Franchiſes.

In a Word, if ſuch a rigorous Courſe ſhould be taken, I fear it may give Room to malicious Suggeſtions, and foment the preſent Heats and Diſtempers of the Nation, and may (tho' without juſt Reaſon) alarm all other Corporations. I cannot therefore conceive it adviſeable, or fit for his Majeſty's preſent Service (all Things conſider'd) to proceed to ſuch Extremities againſt the whole Body, but rather to direct Proceedings againſt the moſt obnoxious Members in their private Capacities; but yet ſhall ſubmit with all Humility to his Majeſty's and your Royal Highneſs's Wiſdom, as becomes, *&c.*

L. Jenkins.

To

To Mr. Secretary Jenkins.

SIR, *Paris, Dec.* 16. 1682.

I Went yeſterday to *Verſailes*, with a Reſolution to move M. *de Croiſſy*, in an Affair of certain Merchants of *Jerſey*, who have made Complaint to me, that whereas, Time out of Mind, they have traffick'd with this Nation in Stockings and other Manufactures, and have always had the Liberty, after they had made their Markets here, and bought Commodities, which they uſually carried Home, to carry the Remainder of their Money in Specie with them, without ever being ſtopp'd, under Pretence of any Edict; it nevertheleſs happened the other Day, that embarking themſelves at the Port of *Containevill* in *Normandy* in a Veſſel, with ſeveral Bags of Silver with them, they were arreſted, and their Money ſeized by the Officers of the *Doüanes*, and yet detained by them. They deſired me to make Inſtances for them at the Court, which, with his Majeſty's Leave, I ſhall willingly do, becauſe I believe their Caſe to be hard, and their Complaint juſt. At my Arrival at Court, I found them there, and they told me, that they having preſented a *Requête* at their firſt Arrival to M. *Colbert*, had yeſterday this Anſwer to it: That their Demand was not granted; and without giving them any other Anſwer, their Petition was return'd. I was the more ſurprized at this Proceeding, becauſe you was pleaſed to adviſe me, that his Majeſty had ordered you to ſpeak to M. *Barillon* about it. Yet I thought it beſt to take no Notice of what I had been informed, but to go directly to M. *de Croiſſy*; which I did, and to acquaint him with the Orders I had received, and to ſatisfie him that it had been a Liberty always granted to the People of thoſe Iſlands, to export Money for their Merchandiſe from this Kingdom; the Subjects of which had alſo the ſame Liberty of tranſporting from thence Money in Specie for their Cattle, Wine, and Manufactures. He told me, he could ſay nothing to that Uſage, but began to refine upon it, how that in general all Nations did prohibit the carrying out of their Coin, and therefore it could not be wondred at, if *France* did the ſame. I agreed to that, but at the ſame Time told him, that this Matter was regulated in the late Treaty of Commerce, concluded between the two Crowns in *February* 1677. and ſhow'd him the Copy of the Article relating to it; and when I urged to him the Words of it, and the Reflexions you was pleaſed to impart to me upon it, he could not offer much againſt it, but promiſed me to repreſent the Matter to the King. I gave him to underſtand, that I had his Majeſty's Orders to uſe my utmoſt Endeavours to procure the Reſtitution of the Money, and to prevent any ſuch Proceeding for the future; and that if Juſtice were not ſoon done, I ſhould find myſelf indiſpenſably obliged to apply to his Moſt Chriſtian Majeſty in it. So that by the next Poſt, I hope to be enabled to give you a further Account of this Affair, *&c.*

Preſton.

To Mr. Secretary Jenkins.

SIR, *Paris, Dec.* 30. 1682.

I Am told M. *Barillon* hath written to M. *de Croiſſy* that you had ſpoken to him from the King, and recommended earneſtly the Affair of the *Jerſey* Merchants to him, and that he hath alſo deſired him to uſe his Endeavours that they may have Satisfaction. I had alſo the other Day, an Opportunity of moving the King himſelf in it, and of acquainting him fully with the Caſe of theſe Men; he heard me very favourably, and was pleaſed to tell me, that no more had been done here, than was practiſed in all the Countries of the World, which prohibited the exporting of their Coin; that he believed they were as exact in this Matter in *England*, as in any other Place. To that I anſwer'd, that this Matter was regulated by a Treaty. His Majeſty then ſaid, the Words of that Treaty were to be conſidered of; and added, that I ſaw how ready he was upon all Occaſions to comply with, and oblige the King my Maſter, in all conſiderable Things which he could propoſe; and that it was only ſome of thoſe little Things, which ſometimes happened, that he was forc'd to refuſe; however, that he would conſider of this Matter, and that I ſhould have his Anſwer ſoon. I anſwer'd, that the King my Maſter was very ſenſible of his Majeſty's obliging Carriage towards him, and that I was well aſſured, that he would not be wanting to perform thoſe Offices, which may contribute to that Amity and good Correſpondence, which is at preſent betwixt them; that in ſuch Caſes as this, when his Majeſty's Subjects deſired his Protection, his Majeſty had ever granted it to them, and that I ſhould attend, till he was pleaſed to give me an Anſwer, which I aſſured myſelf will be very juſt and favourable. I am ſince made to believe, that it is deſign'd, that theſe Men ſhall have their Money reſtored to them, but that it ſhall be as a Grace, and not of Right.

If

If it be ſo, and we cannot have the Point ſettled at once, new Complaints will every Day ariſe, and his Majeſty and his Miniſters here will never be free from them.

The Explanation which you was pleaſed to make of that Article of the Treaty of Commerce, which declareth Silver and Gold coined, or not coined, not to be Merchandize of Contreband, is extreamly juſt and *à propos*. I did at firſt apprehend that the Treaty was too weak to ground an Argument upon alone; and therefore I never failed at all Times to urge that Argument of the reciprocal Connivance for the Advantage of both Nations with it. But having preſſed the Words of the Treaty two or three Times at firſt to M. *de Croiſſy*, upon the Strength of what you formerly hinted, and finding that he made no very great Objections to it, I was willing to make the beſt of them, in Hopes to have had an Anſwer before they had too long thought upon the Matter. So ſoon as I have the King's Reſolution upon it, I ſhall tranſmit it to you. I am, *&c.*

Preſton.

To Mr. Secretary Jenkins.

SIR, *Paris* 1681.

I Send this in Favour of a Proteſtant Linen Draper, Mr. *Bonhome*, who with all his Subſtance is reſolved to retire into *England*; in order to which he has pack'd up his Shop, and ſent it in Specie to *Dunkirk*; having paid all the Duties and Cuſtoms on this Side for Exportation; but being now told, that his Religion will not hinder the Confiſcation of his Goods, he goes firſt to *London* himſelf, before he will hazard his Effects; this being his Caſe, he deſires a Recommendation to you, begging your Favour and Aſſiſtance: Which I hope your Honour will pleaſe to afford him, as far as the Law will permit. Which, if ſtretched a little upon the Account of Religion, will not, I believe, give Offence to the moſt rigorous Legiſlatures. This Man will be able alſo to give you ſome Lights into the Method of bringing the Manufacture of Sail-Cloth into *England*, (the Project I have been always fond of) which may entitle him to ſome Favour; tho' I need not in the leaſt doubt, but he will, from your own Goodneſs and Bounty, find all the regular Aſſiſtance deſired on his Behalf. Here is a Proteſtant Haberdaſher in the ſame Trouble, about to carry his Effects. Pray, SIR, inſtruct me what to ſay to ſuch People upon the like Occaſions. I cannot but think theſe Matters are worth a ſerious Conſideration; for beſides the favouring of Proteſtants, if we refuſe to take ſubſtantial Tradeſmen with their Wares, they will go into *Holland*; ſo that they will get the rich Merchants, and we only the poor ones. I am, *&c.*

S. Savil.

To Henry *Lord Biſhop of* London.

Right Reverend Father in God, Our Right Truſty and well-beloved Councellor, &c.

WHEREAS We are given to underſtand, that divers Perſons and Families of Proteſtants in the Kingdom of *France*, have lately withdrawn themſelves from thence, to avoid thoſe Hardſhips and Extremities which are brought upon them there for the Sake of Religion, and have betaken themſelves into this Our Kingdom, as a Place of Refuge, where they may enjoy the Liberty and Security of their Perſons and Conſciences: And whereas moſt of them, if not all, having been forced to abandon their Native Abodes and Accommodations in Haſt and Confuſion, muſt needs be deſtitute of fitting Conveniencies for their Relief and Subſiſtance: We being touched with a true Senſe, and ſerious Compaſſion of their deplorable Condition, and looking upon them not only as diſtreſſed Strangers, but chiefly as perſecuted Chriſtians, are very deſirous to extend Our Royal Favour and Protection towards them, not doubting but all Our good and loving Subjects will be alſo willing and forward, on their Parts, to do what may reaſonably conduce to their Comfort in this their Day of Affliction. We do therefore in a very ſpecial Manner recommend their Caſe unto your pious Conſideration, hereby requiring you forthwith to give Directions unto all the Clergy of Our City of *London*, that in their ſolemn Congregations upon the Lord's Day, they repreſent the ſad State of thoſe poor People, and by the moſt effectual Arguments of Chriſtian Charity, excite their Pariſhioners to contribute freely towards the Supply of their Neceſſities. We ſhall not need to preſs you in this Behalf, well knowing your Zeal in ſo good a Work, which will be no leſs pleaſing to Us, than we are ſure it will be acceptable to the Great GOD. And ſo We bid you heartily farewel. Given at Our Court at *Windſor*, the 22 *d* Day of *July* 1681. in the 33 *d* Year of Our Reign. CH. R. By His Majeſty's Command,

L. Jenkins.

To

To our Right Truſty and Well-beloved Sir Patience Ward, *Knt. Lord Mayor of our City of* London.

RIGHT Truſty and Well-beloved, We greet you well. Being given to underſtand, that many Proteſtants of the Kingdom of *France*, finding themſelves under great Straits and Preſſures there for the Sake of their Religion, have choſen rather to leave their Native Country, than to hazard the Ruin of their Conſciences, and therefore good Numbers of them are come into this Our Kingdom for Shelter and Security. We are very deſirous that they ſhould not only meet with kind Reception here, but alſo with that Benevolence and Charity which may in ſome reaſonable Meaſure contribute towards their Relief and Comfort in this their Affliction. To which End, we have ſignified Our Pleaſure to the Lord Biſhop of *London*, requiring him to give Directions unto the Clergy of that Our City, to repreſent the ſad Condition of theſe poor People in their Congregations, and alſo to excite their Pariſhioners to the free and chearful Relief of their diſtreſſed Brethren. But as We cannot have too many Hands imployed in ſo good a Work, ſo we have thought fit to recommend the ſame unto you alſo: That by your Influence and Co-operation, Our good Subjects inhabiting in that Our City may be induced and obliged to a more effectual Demonſtration of their Liberality on this Occaſion. And ſo we bid you heartily farewel. Given at Our Court at *Windſor*, the 22 *d* Day of *July* 1681. CH. R.

By His Majeſty's Command,

L. Jenkins.

To Don Franciſco de Mello, *Ambaſſador Extraordinary from* Portugal.

SIR, *Dec.* 1680.

THE King my moſt gracious Soveraign and Maſter, having ſeriouſly reflected upon an Overture made by you *Don Franciſco de Mello*, for your publick Entry and Reception in this Court, as Ambaſſador Extraordinary from the Crown of *Portugal*, hath commanded me to impart unto your Excellency the Reaſons of the Demur his Majeſty hath hitherto made, and alſo the Terms upon which he is ready to comply with your Deſires. His Majeſty does own an Obligation from the Nearneſs of his Alliance with that Crown, and from the Intereſts of his own Subjects in the Publick Commerce, to cloſe with all good Occaſions, and eſpecially with this of your Preſence and Miniſtry, (his Majeſty, SIR, having a ſingular great Eſteem for your Perſon and Merit) in order to advance the Good and Grandeur of that Crown, and to eſtabliſh the ſtricteſt Correſpondence, Union, and Commerce, that can be between the Two Kingdoms. Yet his Majeſty cannot, on the other Side, but call to Mind, that his dear Brother *Don Alphonſo* the VI*th*, King of *Portugal*, &c. after he had been declared Major, and Crown'd King, and alſo in his own Name exerciſed all Acts of Regal Soveraignty in his Kingdom, both in War and Peace, for ſeveral Years, was very unexpectedly, and upon the ſudden, removed, and carried away from his Throne and Government. And that both before and ſince the Removal of King *Don Alphonſo*, there have been ſeveral Changes and Proceedings in the Royal Family there, that are hitherto dark and unaccountable at this Diſtance; and concerning which, (as to their Agreeableneſs with Publick Honour and Juſtice) there has not been ſuch Care to inform and ſatisfie his Majeſty, as his Friendſhip with that Crown, and his Intereſt in that Family, might (as his Majeſty conceives) very juſtly challenge: His Majeſty therefore having as perfect a Tenderneſs and Concern, as any Chriſtian Prince can have, for the Honour and Safety of all Crowned Heads, moſt eſpecially of ſo near an Ally, from all Violences among their own Subjects; and having eſpouſed the Intereſts of that Royal Family, by chooſing out of it our moſt gracious Queen his Conſort, can do no leſs (whatever other Princes his Neighbours, either out of Intereſt or Indifferency may have done in this Caſe) than expect, and reſolve to be fully ſatisfied in his own Royal Judgment, that the preſent Poſſeſſion which the Prince *Don Pedro* has taken of the Kingdom of *Portugal*, and the Dominions thereunto belonging, is ſuch as the Law of Nations, and the Conſtitutions of that Kingdom, do warrant, before your Excellency be received to any Publick Audience. I do therefore, by the King my Maſter's moſt expreſs and ſpecial Command, and in his Royal Name and Behalf, hereby declare, that nothing can be more welcome to his Majeſty, than an Opportunity to demonſtrate the ſincere Affection he hath for his dear Brother-in-law the Prince *Don Pedro*; and for the Grandeur of his Eſtate and Dignity;

nity; and alſo for the eſtabliſhing of the ſtricteſt Commerce and Conjunction poſſible between the Two Crowns: And that in order thereto, his Majeſty is moſt willing to receive and treat with your Excellency, as Ambaſſador from the Crown of *Portugal*, and as a Perſon qualified in all Things ſuitable to his Majeſty's Affections and Deſires; but I do likewiſe declare and proteſt, in his Majeſty's Name, that his Majeſty intends not to admit of your Excellency, to repreſent the Perſon of any other, than that of his dear Brother *Alphonſo* VI. King of *Portugal*, in this Court; unleſs it be firſt made appear to his Majeſty, either that the King *Don Alphonſo* has freely and voluntarily reſigned, renounced, and diveſted himſelf of his Kingdom and Government, and without any Fear, Conſtraint, or Surprize; or elſe, that the Prince *Don Pedro* his Brother, pretends to no more at preſent, than a neceſſary Curatorſhip and Lieutenancy in the ſaid Government, during the King his Brother's Abſence, or other Impediment allowable by the Law of Nations, and the ancient fundamental Laws of that Government, and no longer, or otherwiſe. And this, SIR, you muſt expect, that his Majeſty will declare to be his Meaning, if ſuch previous Satisfactions as his Majeſty expects are not given, to make your Excellency's Way for a Publick Audience. This being a Piece of Juſtice his Majeſty conceives himſelf to owe indiſpenſably to his Alliance with K. *Alphonſo*, and to the Intereſts of the Queen, the King my Maſter's Royal Conſort. I am, *&c.*

L. Jenkins.

To the Lord Viſcount Dunkelly.

C. R.

RIGHT Truſty and Well-beloved Couſin, We greet you well. It is with ſingular great Satisfaction that We have underſtood of your being thoroughly inſtructed in the true Proteſtant Religion, as it ſtands eſtabliſhed by Law in that Our Kingdom, and that you have thereupon united yourſelf to the Proteſtant Church there, having forſaken that of *Rome*: We ſhall not here enlarge, to tell you how great a Gainer you are in ſeveral Reſpects by this Exchange; but we are glad of this Occaſion to obſerve to you, that you have happily reſcued yourſelf from a Foreign Juriſdiction and Dependance, which too many of our Subjects in *Ireland* do make a main eſſential Point of their Chriſtianity; and yet that Dependance is ſuch, as hath always given Jealouſies to the Crown, and ſometimes brought it to great Extremities of Danger, moſt eſpecially in the late *Iriſh* Rebellion, which was enter'd into meerly for maintaining of that Dependance, and yet was ſo cruel, that no Chriſtian can yet think of it without Horrour. The Religion that you have now embraced, teaches you better Things, hardly allowing ſo much as the Poſſibility of a Caſe, where it may be lawful for Subjects to take up Arms againſt their Soveraign. As ſuch a Religion is the beſt Security to the Publick Peace, ſo upon your profeſſing of it, we are readily inclined to allow you the ſame Privileges, which our other Proteſtant Subjects of your Quality do enjoy. We have therefore ordered Our Chancellor of that Kingdom, to inſert your Name in the Commiſſion of the Peace, and to iſſue out Our Gracious Writ of Summons, when a Parliament is called in that Our Kingdom, whereby you may ſit as a Baron in Our Houſe of Peers, in the Right of one of the ancient Baronies belonging to your Family; to the End you may miſs no Opportunity nor Advantage incident to your Quality, to aſſert and maintain the true Proteſtant Religion, as alſo to maintain and ſupport, as Occaſion ſhall require, the Rights of Our Crown, together with the Liberties and Properties of Our Subjects. And ſo We bid you heartily farewel. Given at Our Court at *Whitehall*, the 23 *d* of *June* 1680, in the 32 *d* Year of Our Reign. By His Majeſty's Command,

L. Jenkins.

To His Royal Highneſs the Duke of York.

May it pleaſe your Highneſs,

THIS Diſcourſe (or what elſe you pleaſe to call it) was brought to me by the *Canterbury* Carrier; and your Royal Highneſs will ſee, in the following Leaf, how it comes to be addreſs'd to my Hands. The Author I have known long ſince; he was Chaplain to my late Lord Archbiſhop of *Canterbury*; his Name is Dr. *Samuel Parker*, (at preſent) Archdeacon of *Canterbury*. As I have not had any Communication with him of any kind theſe many Years, ſo the coming of this Treatiſe to my Hands is a perfect Surprize; yet ſeeing the Subject Matter of it is that which we all heartily pray and contend for, I durſt not but commit it to this preſent Conveyance, beſeeching Almighty GOD to give a Bleſſing upon it. I am, *&c.*

L. Jenkins.

To Sir Leoline Jenkins.

Right Honourable SIR,

HAVING been lately confin'd with a great Indiſpoſition of Health, and not knowing how the Divine Providence might be pleaſed to diſpoſe of me, after I had ſettled my own private Affairs as well as I could, an extravagant Thought thruſt it ſelf vehemently upon me, to leave a Legacy for his Royal Highneſs, which, in thoſe better Intervals I enjoyed, I compoſed, and out of that eager Zeal I have for the true Settlement of the Church of *England*, cannot forbear to preſent it. And in Order to it, make bold to convey it to your Honour; and if your Curioſity will ſupport your Patience to peruſe it, I ſubmit it entirely to your Wiſdom to diſpoſe of it as you pleaſe. Tho' I have no Reaſon to expect any Succeſs from ſo weak an Endeavour, yet the very Decency of the Deſign in a Prieſt of the Church of *England*, will at leaſt warrant it ſelf; for I have only addreſs'd myſelf to his Royal Highneſs's Conſcience, without any Regard to his worldly Intereſt; and that is a Thing that any Church-man, that has a ſincere Love for his Religion, is not only authoriſed, but obliged to do; and as for the Event of ſuch unlikely Attempts, they are to be entirely left to the over-ruling Providence of God. However, I requeſt the Favour of your Peruſal; and if you judge not the Deſign utterly ridiculous, to convey it to his Highneſs. If you are tempted to ſmile at my Folly, I beſeech you to impute it to my preſent Weakneſs; and when I am in a better Condition of Health, for which I thank GOD I am now in a very fair Way, perhaps I ſhall be as forward as any to laugh at the Oddneſs of the Attempt. But whatever it is, I am ſure it has the Warrant of a good Meaning from, SIR, *&c.*

S. Parker.

To the Duke of York *in* Scotland.

May it pleaſe your Highneſs, *Dec.* 8. 1680.

THE Bearer going Expreſs, I moſt humbly beg Leave of your Royal Highneſs, to ſay a few Words that have long lain upon my Heart, tho' they are no other than what I have ſometimes offer'd to pour out in the Agony of my Soul, when I have been at your Royal Feet; and tho' no other than what many abler Perſons have already ſaid, I doubt not, in a more ſatisfactory Manner than I can pretend to do.

YOUR Royal Highneſs will eaſily gueſs, that 'tis about the Communion, I not only hear, but greatly fear you are now gone over to. I confeſs this is not the moſt proper Time for Overtures of this kind, the great Work of yeſterday makes me apprehend, that your Royal Highneſs, like the Traveller in *Italy*, will wrap your Cloak the more eagerly about you, as the Blaſt of the cold *Sciorocco* was violent to ſtrip you of it. And when I do preſume to ſay any Thing of this kind, it is not only with that perfect Submiſſion which I owe to your Royal Highneſs, but alſo with a Proteſtation, that I do not ſo much as wiſh your Royal Highneſs returned to our Communion again with a Conſcience left upon the Rack for ſo doing, or elſe out of ſuch a Compliance, as prefers a Temporal Intereſt, tho' never ſo conſiderable, before the Peace of your own Soul. All therefore that I beg is, (and I beg it with all the earneſt Paſſion and Sincerity that is poſſible) that your Royal Highneſs would give Way to ſome able and pious Perſons of our Church, to inform your Conſcience what you may do in the preſent Exigency; and that your Highneſs would graciouſly permit them to offer ſuch Motives, as, I hope, by GOD's Grace, might be effectual to perſwade your Highneſs to return to our Communion.

IT were needleſs for me to enter into a particular Detail of what a good and able Man may ſay in ſuch a Caſe, in order to the ſatisfying of your Conſcience: But there are two Grounds more than ordinary, that I think a Perſon might with great Reaſon build upon.

THE one is, that your Royal Highneſs is under all the Obligations imaginable to the King, to your own Princely Family, and to your Friends, to conſider whether there be a Poſſibility for you, with a ſafe Conſcience, to return to that Church that you have left.

THE other Ground is, that you have ſurrendred your ſelf to thoſe of the *Roman* Communion, before you had uſed the ordinary Means in your Power to diſcover, whether there were ſufficient Grounds in good Conſcience for you to depart from the Church in which you had received your Baptiſm and Education, upon Prejudices never debated or conſider'd of as they ought to have been, in a Buſineſs of that Weight and Tenderneſs.

THIS

THIS I ſay upon a Principle which I think cannot be denied me. It is, that whatever Terms and Conditions of Communion one National Church may pretend to, or exact from another National Church, or elſe in caſe the Terms demanded be not granted, then to break with it; yet a ſingle Chriſtian is not at the ſame Time at Liberty to break off upon the ſame Terms, from that Church in which he received his Baptiſm. And this I take to be your Royal Highneſs's Caſe.

THIS being laid down for a Ground, I do humbly preſume to ſay, that your Royal Highneſs cannot enquire too much, or too earneſtly, whether you have done juſtifiably or not, in breaking off from the Church of *England* upon thoſe Perſwaſions, or (if I may take Leave ſo to call them) Prejudices, that you have entertained againſt it.

I will therefore preſume humbly to ſay, that, beſides what you owe to the Injunctions of your Martyred Father, and the reſt of the Proteſtant World, you are bound in Juſtice, 1. To the Church of *England*. 2. In Submiſſion to the King your Royal Brother. 3. In natural Affection to your Children. 4. In Charity to theſe Three unhappy Nations, to uſe all the Means poſſible to inform your ſelf, whether you can with a ſafe Conſcience return again to this Communion.

1. To the Church you owe it, becauſe you have departed out of her Boſom, at a Time when ſhe gave you no juſt Cauſe to do ſo; and at a Time when ſhe, that is, every true Son of the Church of *England*, profeſſeth a Readineſs to ſacrifice their All, rather than to do your Highneſs the leaſt Wrong in your Birth-right. Beſides, the Breaches that are made upon her, are reckoned to be the greater, becauſe of that Countenance and Protection that Diſſenters from her have received, by the Influence of your Authority at Court and elſewhere.

2. To the King you owe it; for he is upon the Rack at this Time, as your Highneſs well knows; and nothing, humanely ſpeaking, can deliver him, or keep his Crown upon his Head, but your returning and being re-united to this Communion. To ſpeak plainly, if 500 Men ſhould happen at this Time to aſſemble themſelves, (as they have formerly done in the Reigns of ſome of your Royal Anceſtors) they would gather to an incredible Number in a few Days; and if in ſuch a Tumult they ſhould demand the King's Perſon, I do not ſee any Man, or Body of Men, capable of reſiſting them. I hope your Highneſs will pardon this Suppoſition; but from the preſent Diſtempers of the Nation, and the Ferment of the Houſe of Commons, what is there that one may not juſtly apprehend?

3. You owe it to your Royal Children; I dare not, I need not ſay a Word more upon a Point ſo highly moving, and infinitely tender, there being more in it than I am able to expreſs.

4. LASTLY, Your Highneſs owes it to the Three Nations; for tho' the late unnatural Heats and Debates may work on your Paſſions, and you may poſſibly be tempted to think, that this Obligation is in ſome Meaſure cancelled by their Ingratitude and Averſeneſs at this Time; yet it was the Sentiment of an Heathen Emperor, and it is, I doubt not, much more yours, as a Prince exemplarily pious and Chriſtian, that you would rather ſave the Life of one *Engliſhman*, (that daily prays for your Welfare and Proſperity) than be the Deſtruction of a 1000 of your Enemies.

THERE is one Prejudice, I know, hardeſt of all to be removed, and is a ſtronger Ingredient to the Inclinations of Princes than of private Men; it is the Point of Honour, and the Shame of a Retreat; and 'tis that which often, under the Diſguiſe of Conſcience, really impoſes upon the moſt honeſt [the reſt is loſt]

To the Engliſh *Envoy at* Portugal.

SIR, *Whitehall, April* 18.1684.

YOU will receive herewith incloſed a very large Letter from his Majeſty to the King of *Portugal*, touching the Right acquired to the *Engliſh* for the free Exerciſe of our Religion at *Oporto*; the Letter is framed upon the Draught you were pleaſed to ſend me; it hath been debated and approved of by the Lords Committees for Trade and Plantation, and afterwards reported by their Lordſhips to his Majeſty in full Council, as a Letter that hath its Foundations in the Treaties between *England* and that Crown, and the very Reaſons proper for his Majeſty to write in the Behalf of our Religion, as well as the *Engliſh* trading there. I know the Letter for the Length, and probably for the Language of it too, (being *Latin*) will be too tedious and uneaſy for that King himſelf to engage in. Therefore it is not only left, but recommended to your Diſcretion, at the delivering of it, to introduce it by ſuch Topicks as ſhall be moſt plauſible, whether from the Practice of all Nations, or from

the Poſſeſſion we are in, which hath been uſed with ſo much of Reſerve and Caution, that no Scandal in the leaſt hath been given to thoſe Privileges by the Carriage of our Nation.

When you have done with the King, you will apply your ſelf to the Miniſters, according to the Part they are like to have in this Negotiation. You will of your-ſelf, I doubt not, decline ſuch Diſcourſes, as may claſh with the Bigottry of the Place; and if they ſhould ſtill harp upon the Parallel between our Treaty with *Spain*, and that with *Portugal*; we muſt oppoſe to all they can ſay, our conſtant Uſage at *Liſbon* and at *Oporto*, tho' it had been of late interrupted; we enjoy in *Spain*, what was ſtipulated there by ancient Treaties; we pretend to no more in *Portugal*, but what was ſtipulated in 1654; and the Ties and Obligations in both, are equally ſacred. If in the *Spaniſh* Treaties, the principal Intention was to exempt the *Engliſh* from the Power of the Inquiſition; we have no more to pretend to there, but what is provided for; if the *Portugal* Treaty carries it further, (as it does) *viz.* to the Stipulation of the free Exerciſe of our Religion in our private Houſes; then ought not any Perſon whatſoever be hindred from partaking in that Freedom, (whether that of preaching, or hearing, adminiſtring, or being adminiſtred to) which he had Right to by Law in his private Houſe here at Home.

One Thing poſſibly they will contend for, *viz.* that the Liberty enjoy'd at *Liſbon* in the Conſul's Houſe, was connived at, *quatenùs* he was Conſul, and not as Merchant; whereas it is notorious, that all Men of publick Character need no Capitulation for Freedom to exerciſe their Religion, as to them ſhall ſeem meet, in their own Houſes; it would have been a futile and inſignificant Stipulation in the 14*th* Article of the Treaty in 1654, to have ſtipulated for the free Exerciſe of our Religion in private Houſes, and at the ſame Time to have intended no further than the Houſes of thoſe that have a Character from the King; for ſuch Houſes are under the Protection of a Law, paramount to all Treaties, that is, the Law of Nations.

I am ſorry to hear (nor did I hear it till Mr. *Hinde* was in the *Downs*) that he intends to go ſtreight to *Oporto*, before the Effect of his Majeſty's Letter with that Court be known. There are in his Company two Men, fierce Papiſts, that know him to be of the Miniſtry, and are acquainted with the Miſſion he goes upon. It would have been more adviſeable for him to go ſtreight to *Liſbon*, and to have moved from thence under your Protection, as he ſhould find the Way prepared for him, either by publick Authority, or by Engagement from the Factors at *Oporto*. His Majeſty is in a Way, how to take an effectual Courſe with thoſe, that are mutinous of the one and the other Communion in that Factory, and two or three Privy Seals, 'tis hoped, will quiet them all.

His Majeſty having been graciouſly pleaſed to give me leave to withdraw from this Poſt, for Want of Health to ſtand under the Burthen of it: My Lord of *Sunderland*, who comes into the Department of the elder Secretary, will have a Care of you, as he hath an Affection for you (which to my Knowledge is very great and entire). When there is any Thing that lies in my Power (in the private Station I am now retiring to) to ſerve you in, you may command me, as one alſo that hath a perfect Eſteem for your Merit, and a great Sence of that Friendſhip and Obligations, wherewith you have always thought fit to honour, Sir, *&c.*

L. Jenkins.

JAMES R.

Whereas Sir *Leoline Jenkins*, Knt. late Principal Secretary of State, did, by his laſt Will and Teſtament, deſire and require you, to digeſt, ſort, and to ſet in Order, ſuch Papers, Writings, and Manuſcripts, belonging to the ſaid Sir *L. Jenkins*, as relate to our Service, or the Publick, as Papers of State; to the End the ſame might be placed in Our Office, commonly called the Paper-Office. And whereas you have accordingly digeſted the ſaid Papers and Manuſcripts, and have made a Regiſter or Index thereof, which We have received from you, and are hereby graciouſly pleaſed to approve thereof; Our Will and Pleaſure is, that you deliver all the ſaid Papers and Manuſcripts mentioned and ſpecified in the ſaid Regiſter or Index, together with a Copy of the ſame, to Our Truſty and Well-beloved Sir *Joſeph Williamſon*, Knt. Keeper of Our ſaid Paper-Office, there to remain. And for ſo doing, this ſhall be your Warrant and Diſcharge. Given at Our Court at *Windſor*, the 13*th* Day of *June*, 1686. in the 2*d* Year of Our Reign.

By His Majeſty's Command,

Middleton.

To Owen Wynne, *Eſq;*

RE-

July 1. 1686.

RECEIVED by the Hands of Dr. *Owen Wynne*, four large Preſſes, containing the ſeveral Papers and Manuſcripts, ſpecified in the foregoing Index or Catalogues, together with a Copy of the Index, for the Uſe of the Paper-Office, by me,

J. Williamſon.

CHARLES R.

THE Society of the Doctors of the Civil Law, Judges, and Advocates of our Courts, now ſettled at *Doctors-Commons* in *London*, having to their great Charges rebuilt the ſame, which was totally burnt down in the late dreadful Fire; have by their humble Supplication beſeech'd us, not only for the Diſcharge of 12*l. de facto* laid upon that Houſe before it was burn'd, in *Caſtle-Baynard* Ward, *pro duobus ultimis ſubſidiis nobis à Laicis Anno Regni noſtri xiii Conceſſ.* but alſo have complained unto us againſt undue Taxes and Burdens (now ſince their Return to *Doctors-Commons* by Our Order and Direction) attempted to be laid upon them by the Aſſeſſors for that Ward, and other Commiſſioners, contrary to what is paid by the Society of the *Serjeants-Inn*, and contrary to the Privileges granted to the Society of Doctors by Our Royal Progenitors and Ourſelf, which they produced unto Us; as alſo an Order of the Board of the 13*th* of *March*, 1634. Wherein it was expreſly ordered, that the ſaid Houſe, called *Doctors-Commons*, ſhould be freed from an Aſſeſſment then *de facto* laid upon them, towards the Charge of the Ships then ſet forth by the City of *London*, for Our Royal Father's Service; and that the Money (if paid for that Aſſeſſment) ſhould be reſtored to the Doctors, and the Lord Mayor of *London*, to ſee it accordingly performed; and ſetting forth the great Benefit that Ward, and that Part of the City, received by their returning to *Doctors-Commons*, and the little Reaſon that Ward hath to encroach upon them; they humbly pray'd, that We would be graciouſly pleaſed to aſſert and confirm their Privileges, and to give them Relief.

AND We knowing the Uſefulneſs of that Profeſſion for the Service of Us and Our Kingdom in many Affairs, found juſt Cauſe to aſſert their Exemption from Payment of Taxes, Burdens, and Impoſitions, in the ſame Manner as the Societies of the *Serjeants-Inns* are, and have uſed to be.

AND yet We held fit to refer, and did refer the Peruſal of their Privileges, and the whole Caſe, to Our Lord High Treaſurer of *England*, to conſider ſeriouſly thereof, and to report his Opinion upon the whole Matter to Us, thereupon to declare Our further Pleaſure, and order what might be juſt. And his Lordſhip having duly conſidered thereof, and adviſed with divers of Our Learned Judges of the Common Law, did make this Report unto Us, in the Words following.

May it pleaſe Your Majeſty,

I Have not only conſidered of the Petition of the Doctors of the Society of *Doctors-Commons*, and of their Evidences for their Privileges annex'd, but have alſo conferr'd with ſome of the Learned Judges of the Common Law thereupon; and upon the whole Matter, I am of Opinion, that the Society of Doctors ought to pay towards the 18 Months Tax, proportionable to the Ground Rent of their Houſe called *Doctors-Commons*, and ſo likewiſe to other Taxes. But none of the Doctors of the Society ought to pay, or be tax'd particularly for their Lodgings, Studies, or Reſidence, in the ſaid *Doctors-Commons*, (they being there for Judging of Cauſes, and Practice in their Profeſſion) as the Judges and Serjeants at *Serjeants-Inns* are for theirs; neither are the ſaid Society of Doctors to be burthen'd with bearing of Arms, or any other Office, Military or Civil, nor any of the Doctors reſiding there; they having reſpectively Houſes and Lands in other Places, where they pay both to the 18 Months Tax, and all other Taxes proportionably for what Eſtates they have; and therefore I am humbly of Opinion, that the ſaid Society of Doctors, ſhould have and enjoy the ſame Exemptions, Freedoms, and Privileges, at the *Doctors-Commons*, as the Judges and Serjeants have and enjoy at the *Serjeants-Inn* in *London*.

ALL which I humbly ſubmit to Your Majeſty's great Wiſdom.

Wallingford-Houſe, Nov. 6. 1673. *Latimer.*

WHICH being well-weighed by Us, We do confirm and ratifie his Lordſhip's ſaid Report, in every Particular and Reſpect; and We do by theſe Preſents declare, and abſolutely Order, that the ſaid Society of Doctors ought to pay towards the 18 Months Tax proportionable to the Ground Rent of that Houſe, called *Doctors-Commons*,

Commons, and ſo likewiſe to other Taxes; but that none of the Doctors of that Society ought to pay, or be tax'd, or ſhall be tax'd or inforced to pay to the ſaid 18 Months Tax, or any other Taxes, particularly for their Lodgings, Studies, or Reſidence in the ſaid *Doctors-Commons* (they being there as aforeſaid, for judging of Cauſes, and practiſe in their Profeſſions, as the Judges and Serjeants at *Serjeants-Inn* are for theirs) And do alſo order, that neither the ſaid Society of Doctors, nor any of the ſaid particular Doctors reſiding there, ought to be, or ſhall be otherwiſe tax'd, or made to pay more than as aforeſaid; nor burthen'd with bearing or finding of Arms, or any other Burthens or Impoſitions, or Offices Military or Civil (they having reſpectively Houſes and Lands in other Places, where they pay to the Taxes proportionably for what Eſtates they have). But that the ſaid Society of Doctors, and the particular Doctors thereof, reſiding at *Doctors-Commons*, ſhall have and enjoy there the ſame and the like Exemptions and Freedoms, as the Judges and Serjeants have and enjoy at *Serjeants-Inns* in *London*.

Of all which the Lord Mayor of *London* for the Time being, and the Court of Aldermen, and the Commiſſioners for the 18 Months Tax, and all other Commiſſioners, and the Aſſeſſors for the Time being of *Caſtle-Baynard* Ward, and all others concerned, are hereby required to take Notice, and ſee this obſerved, and govern themſelves in every Reſpect according to this Our Order.

And We of our certain Knowledge and mere Motion being well pleaſed, that the ſaid Society of *Doctors-Commons*, and every of them, and the ſaid Houſe called *Doctors-Commons*, be freed and abſolutely diſcharged of and from the ſaid 10 *l.* ſo *de facto* laid upon that Houſe before the Fire, *infra Wardum de Caſtle-Baynard pro dictis duobus Ultimis ſubſidiis* iiii, or *integrorum Subſidiorum a Laicis Anno Regni noſtri* xiii. *conceſ.* Do therefore order, that theſe Preſents be ſhewed to Our Lord Chief Baron, and other Barons of Our Exchequer, and Enter'd and Regiſtred there, and that they do cauſe an Order to be Enter'd for the Diſcharge of the ſaid 12 *l.* and that no Proceſs hereafter do iſſue againſt the ſaid Houſe or Society, or any of the Doctors for the ſame; and the Regiſtring thereof in Our Court of Exchequer, ſhall be to them, and to all Our Officers, a ſufficient Warrant therefore: But the Original ſigned by Us, to be redeliver'd to the Doctors, to remain with them. Given at Our Court at *Whitehall*, the 12*th* Day of *November* 1673. in the 29*th* Year of Our Reign.

By His Majeſty's Command,

Arlington.

CHARLES R.

WHEREAS Our Royal Father, of ever bleſſed Memory, did, by his Order bearing Date the 16*th* of *December* 1632. ſignifie his Royal Pleaſure, that the Advocates, Proctors, Regiſters, and other Officers of his Court of Arches, and other Eccleſiaſtical Courts, and of his High Court of Admiralty, ſhould be freed and exempted from the Office of Conſtable, and other inferiour Offices, in like manner as the Counſellors, Attorneys, Regiſters, or other Officers of any of his Temporal Courts at *Weſtminſter*, have been, and are either by Law, Privilege, or Preſcription, freed and exempted; and did thereby declare his Royal Pleaſure to the then Lord Mayor of *London*, and the Aldermen, and their Deputies, and to any other whom it might concern, that from thenceforth they ſhould forbear to impoſe any the ſaid Offices upon the ſaid Officers of his ſaid Eccleſiaſtical and Admiralty Courts: Which Exemption, We have ſince Our happy Reſtoration confirmed to them. And do hereby ſignify, that it is Our Gracious Will and Pleaſure, that all Doctors of the Civil Law, Proctors, Regiſters, and other Officers of Our Court of Arches, and of other Our Eccleſiaſtical Courts, and of Our ſaid High Court of Admiralty, be freed and exempted from bearing the Office of Conſtable, or any other Ward or Pariſh Office, in their reſpective Wards and Pariſhes, in like manner as Serjeants at Law, Attorneys, Regiſters, or any other Officers of any of Our Temporal Courts at *Weſtminſter*, have been, or are, either by Law, Privilege, or Preſcription, freed and exempted. And it is Our farther Will and Pleaſure, not to debar any Doctors of the Civil Law, Regiſters, Proctors, or other Officers of Our ſaid Courts, who do, or ſhall keep Houſe in any Pariſh within Our City of *London*, and pay Scot and Lot, and are, or ſhall be aſſeſs'd, or any way tax'd by the Common Council Men, or otherwiſe, from having and giving their Votes from Time to Time for the Election of Common Council Men, and all Ward and Pariſh Officers, in their reſpective Wards and Pariſhes; but that they ſhall, and may at all Times, give their Votes and Voices in ſuch Elections, as well as any other Inhabitants who uſed to vote therein. And that this Our Royal Pleaſure ſhall be ſignified to Our Right Truſty and Well-beloved the Lord Mayor of Our

Our City of *London*, and the Aldermen of Our ſaid City, and their Deputies, in their reſpective Wards, and all others whom it may concern. Given at Our Court at *Whitehall*, the 17 *th* Day of *July* 1682, in the 34 *th* Year of Our Reign.

By His Majeſty's Command,

L. Jenkins.

To the Right Honourable Sir Leoline Jenkins.

SIR, *Doctors-Commons, May* 13. 1685.

THIS Day, at a Meeting of the Society, Sir *Richard Lloyd* was pleaſed to acquaint us, that he had attended your Honour with our Petition and Reaſons for ſtated Judges in the Court of Delegates, and that it was your Advice, that the Society ſhould make their Application to his Grace of *Canterbury*, in order to preſent it for us to his Majeſty: Which Advice with all Thankfulneſs we embrace; and to the End that it may be the more effectually purſued, 'tis the joint and humble Deſire of all the Advocates now preſent in *Doctors-Commons*, That you, accompanied with the Dean of the Arches, (being our Judges, and ſo, as we humbly conceive, the fitteſt to make our Requeſt known) would be pleaſed to wait on his Grace, to move him, that he would pleaſe to deliver our Petition to his Majeſty; and that you two would be pleaſed to attend him, if his Grace thinks it convenient: But in caſe his Grace ſhall not think fit to grant this our Requeſt, then it is our humble Deſire, that your Honour and Sir *R. Lloyd*, being waited on by ſuch Advocates as you ſhall think fit, would preſent it to his Majeſty. Mr. Dean likewiſe acquainted us, that your Honour thought it requiſite, that we ſhould think of a Fund, out of which the Salaries ſhould iſſue: To which at preſent we have only this to ſay, that in caſe his Majeſty ſhall be pleaſed to favour our Petition, we do not deſpair of finding out ſuch a Fund, as ſhall not be any great Detriment to his Majeſty's Revenue. We ſhall depute two or three of us to wait on you in a Day or two, for your Anſwer and further Advice in this Affair. We are, *&c*

Tho. Exton.	*W. Trumball.*
Rob. Pepper.	*T. Pinfold.*
K. Littleton.	*Ri. Raines.*
H. Newton.	*W. Oldys.*
G. Oxenden.	*Ch. Hedges.*
G. Bramſton.	*Step. Brice.*

Reaſons for the paſſing of an Act, intituled, An Act for the better ſettling of Inteſtates Eſtates, 22, 23 *Car.* II. *cap.* 10.

THAT nothing is more natural, nothing is more the Care of all Nations in their Laws, than that when a Father dies without diſpoſing of his Eſtate, his Children that are unprovided for, ſhould have a Share in, and Support from it; and ſo of the neareſt Relations of ſuch as have no Children. In *England*, the Ordinaries, who by Law have Power to commit Adminiſtration of Inteſtates Eſtates, have always uſed to diſtribute the clear Remainder between the deceaſed's Children, or other neareſt Relations, according to the Law in thoſe Caſes received in the Eccleſiaſtical Courts. And ſo a Man's dying Inteſtate (while Diſtribution obtained) became leſs calamitous to his Relations, the Law in a manner making his Will for him, after the Meaſures of a prudent and good Man.

THAT great Miſchiefs do daily happen, ſince this ancient Courſe hath met with Interruption. For Inſtance, a Man dies without a Will, and leaves ten Children, and an Eſtate of 10,000 *l.* behind him: If the Eldeſt, or any one of them, do get Adminiſtration by himſelf, the other nine (if there's no Diſtribution) will have no Share at all in their Father's Eſtate, and ſo want both Breeding and Subſiſtance. The Common Law Courts never did, nor can give any Relief againſt the Adminiſtrator in ſuch Caſes; and if the Ordinary ſhould be hindered to do it, the Children unprovided for are without Remedy; that is, there is a Failure of Juſtice in a Caſe the moſt equitable, the moſt lamentable that can be imagined.

EVERY Man hath ſo far an Intereſt in this Bill, as 'tis poſſible that his Will may be ſuppreſſed, or elſe that he may die without making any. For in thoſe Caſes his Eſtate muſt come to an Adminiſtrator's Hand, and others, of equal Nearneſs in Blood and Eſteem, may be ſurprized and excluded: This Bill makes all ſuch Surprizes and Frauds, in getting Letters of Adminiſtration, to be fruitleſs; and ſo orders the Diſ-

Diſpoſal of the Inteſtate's Eſtate, as the Law preſumes himſelf would have done, ſince his Meaning is not otherwiſe to be known.

'Tis objected, That the Adminiſtrator having Adminiſtration once committed to him, the Ordinary is not to intermeddle with, or diſturb him in his Adminiſtration.

Anſw. This Poſition muſt not paſs for Law; ſince there are ſeveral Caſes, where the queſtioning and revoking of an Adminiſtration, has always been, and is to this Day allow'd of as good and legal, at Common Law.

2 *dly*, By the Statute 31 *Edw.* III. *cap.* 11. which appoints the Ordinary to commit the Adminiſtration of the Inteſtate's Goods to his next and moſt lawful Friends; (for before that Statute, the Ordinary did and might aſſume to himſelf this Adminiſtration) it is expreſly provided, that ſuch Adminiſtrators ſhall be for the future accountable to the Ordinary; which Words either muſt ſignifie nothing, or elſe muſt relate to an Account of what the Adminiſtrator had done, purſuant to the Truſt of diſpending for the dead Man's Soul, which that Statute directs. The Nature of an Account implying, 1. That the Accomptant hath no Property in the Matters that he is to account of. 2. That ſuch as have Power to call for an Account, have likewiſe a Right to allow of, or except againſt the Particulars.

3 *dly*, 'Tis true, the Opinion of diſpending for the dead Man's Soul is now exploded, but that gives not to the Adminiſtrator any better or other Title to the Inteſtate's Eſtate, than he had at the Time of this Statute; and if the Ordinary might then require a Diſtribution of all the clear Remainder in Alms or Maſſes, he may now, with as much Right, and more Reaſon, adjudge it to be divided equally among ſuch of the deceaſed's Relations, as happen to be unprovided for; this being a Piety that former Times never excepted againſt, and is a Piece of indiſpenſable Juſtice to the deceaſed and his Relations.

4 *thly*, If it be ſaid, that Executors alſo were obliged by that Statute to account for their Teſtaments, but that it is not ſo of late Times; therefore Adminiſtrators are likewiſe to be excuſed. The Anſwer is, that Legacies are ſtill ſueable before the Ordinary, and when the Queſtion of Aſſets happens, it is to be determined by an Inventory and Account, (at this Day) given in to the Ordinary: Beſides, that in thoſe Times, there was ſcarce any Will made without one, or more, pious Legacies in it, which the Ordinary was *ex Officio* to ſee ſatisfied by the Executor. The Adminiſtrator therefore being (as that Statute expreſſes it) but the Ordinary's Deputy, is *à fortiori* to account for what is intruſted to him; not to be diſpended, as formerly for the dead Man's Soul, but to other Uſes more undoubtedly pious, *viz.* the Support of the dead Man's neareſt Relation, ſince there is no Law that gives the Adminiſtrator any other or more Power and Right, than the Ordinary himſelf anciently had, to convert the deceaſed's Eſtate to his own Benefit.

'Tis objected, that the Adminiſtrator, by Intention of Law, is not to have a Burthen only, but likewiſe an Advantage.

Anſw. An Advantage he always has, not only equal to that of others, but alſo with a Regard to the Charge and Trouble of his Adminiſtratorſhip; but it will be too great an Advantage for him to have all, and others equally capable and deſerving, nothing at all. The Adminiſtrator ſucceeds to the Place and Charge of the Ordinary; (as may appear by comparing the Statute of the 13 *Edw.* I. *cap.* 19. with 31 *Edw.* III. *cap.* 11.) therefore the Law intends he ſhould do as the Ordinary muſt have done. The Ordinary muſt have had nothing to himſelf *eo nomine*; no more muſt the Adminiſtrator, as he is Adminiſtrator, (his Charges excepted) but only his Share, as he is related to the Inteſtate. The Ordinary muſt have ſatisfied all the Obligations, and anſwer'd for all the Wrongs done by the deceaſed, before he beſtow'd one Penny for his Soul. If the Adminiſtrator muſt likewiſe ſatisfie all Obligations in the firſt Place, it is certain that Debts contracted are not the only Obligations, ſince it is an Obligation of the higheſt Nature to provide for ones own; nay, a Wrong to paſs them by, but upon juſt and weighty Cauſes. Therefore when a Man has no Time to declare his Mind, as to the Diſpoſal of his Eſtate, it is a Wrong ſo to diſpoſe of it, as no Man in his right Wits can be imagined to deſign; that is, to give all to one, and to leave ſeveral others (it may be more needy and more deſerving, as well as of as near a kin) without any Share or Support.

As to the Objection, that if Adminiſtrators be compell'd to diſtribute, he is not ſafe from Debts that may afterwards appear. If that Plea were good, Executors might likewiſe uſe it againſt paying Legacies. However, this Bill provides, that all Diſtributions ſhall be conditional; that is, if Debts do appear, the Portioners to refund *pro ratâ*.

'Tis further objected, that the Ordinary may be ſo byaſs'd, as to make an unequal Diſtribution. *Anſw.*

Anſw. This Bill ſets down a Rule in all Caſes; and the Arbitrary Power, formerly ſuppoſed to be in the Ordinary, is quite taken away, he being limited to diſtribute according to the Directions of this Bill, and no otherwiſe. And if it be poſſible for him to ſwerve from this Rule, the ancient Remedy of Appealing to the Delegates, or other proper Superiour Court, is left entire: And a Commiſſion of Delegates is never without four or five Judges of the Common Law in it, if the Party Appellant do deſire it.

But then 'tis ſaid, that this Diſtribution may be made as properly by the Verdict of a Jury, as by the Decree of the Ordinary.

Anſw. This cannot be without making a new Law. Whereas this Bill is no more but an Affirmance of the conſtant ancient Practice already received, and never interrupted till about the Beginning of K. *James*'s Reign. Beſides, the Matter of Fact in theſe Caſes does not lie for a Jury; for the Controverſie can be but about the Intereſt of the Parties, or the Bulk of the Eſtate: The Intereſt (that is, the Nearneſs in Blood to the Deceaſed) is moſt commonly confeſſed; and where it is doubted, there Witneſſes do *vivâ voce* decide it: The Bulk of the Eſtate is liquidated and adjuſted by an Inventory, taken and remaining (as the Statute directs) in the Ordinary's Regiſtry. Which being the Rule in all the Caſes of Creditors without a Jury, may be ſo as well in the Caſe of Portioners, who have no Pretence till the Creditors be ſatisfied. Moreover, there is not one Eſtate in twenty (ſince they are commonly the mean, illiterate Sort, that neglect, or rather fear to make their Wills) that can bear the Charges of a Trial. Whereas before the Ordinary there need no more but one Action, one Hearing, and one Interlocutory, for Ten Children (or other Portioners) againſt their Adminiſtrator.

Sir L. Jenkins *Account of the Rencounter with the* Dutch *about Striking.*

On *Thurſday*, *May* 17. his Majeſty's Yatch the *Cleaveland*, being at Anchor before the *Brill*, overagainſt the Banks called the *Brill-Heads*, a Yatch of the States paſſed about 6 of the Clock in the Evening between us and thoſe Heads, without ſtriking or giving any Guns. I being on Board, (Sir *J. Williamſon* being then on Shore) asked our Captain (*Faiſby*) whether that Yatch ought not to have ſtruck to his Majeſty's Flag? The Captain declaring it ought, I deſired one of the Gentlemen on Board us, Mr. *Nipho*, who ſpoke the Language, to go in our Captain's Name, and repreſent to the *Dutch* Captain (we not knowing who there was on Board him) the Error he had committed, in not paying the Reſpect which was due to his Majeſty's Flag: Captain *Faiſby* deſiring he might be further told, he would have demanded that Due with a Shot a-thwart his Fore-foot, if it could have been done without Danger to the many People then walking on the Banks at the *Brill-Head*. To this Meſſage the *Dutch* Captain ſhrugg'd his Shoulders, and anſwer'd no more, but that the States Ambaſſadors bound for *England* were then on Board; and one of the *Dutch* Ambaſſadors appearing, called Mr. *Nipho* in, and having asked him his Buſineſs, and underſtood from him the Meſſage and Complaint he had delivered from our Captain to theirs; M. *Van Beuninghen* anſwer'd, that they, for their Parts, did leave ſuch Things wholly to their Captain, who was an experienced Man, and that they were going in all Haſt for *England*, and had, upon Suppoſal that we were on Board, ſent an Officer to complement us in their Names.

This paſſed; we weighed Anchor, and after having Sailed about a League from the *Brill-Head* to Sea-wards, we came up to the States Yatch, being then cloſe aboard a States Man of War, which was at Anchor there, the States Flag being ſtruck out of the Yatch, and hoiſted to the Man of War's Top Maſt Head. We were then in a Place called the *Pitts*, the *Brill* Steeple opening about 3 or 4 Ships Length to the Southward of the Light-Houſe; and the Captain finding that the Man of War did not ſtrike, asked me, what he ſhould do? I told him what I had heard of old *Van Trump*'s ſtriking to the Earl of *Arundel* in *Goree* Road; as alſo of Prince *Maurice* his Yatch, that had the other Day ſtruck to the Kitchen Yatch in the Canal of *Delf*-Haven, between the Houſes; and the Captain's own Memory ſuggeſted to him, that a States Man of War had ſtruck to himſelf in the very ſame Place we were then in, as he paſs'd up to *Rotterdam*; and therefore that it was my Opinion, he ſhould demand the Reſpect due to the Flag, in the ſame Manner that the King's Men of War uſe and ought to demand it, ſaving that he ſhould avoid ſhooting at the Hull or Rigging, the Ambaſſadors being at that Time on Board.

Whereupon the Gunner brought a Shot to bear under the Fore-foot of the Man of War, and after a convenient Space of Time, a ſecond over his Poop, and a third between his Maſts. Then appeared their Long Boat; and a Gentleman coming on Board told me, the Ambaſſadors were much aſtoniſh'd to find Bullets Shot from our

Yatch; that they desired to know if it were by my Order, adding, that they were not to strike to our Flag, being within their own Ports. My Answer was, that I was but little capable of giving Orders in Military Cases, that the Captain indeed had acquainted me, that the Respect due to the King's Flag was not paid it, and that he was resolved to demand it; wherein I thought my self bound not to contradict the Captain, and the rather, in that I was assured this Respect had been paid within their Ports long before the War, and even since the present Peace.

As soon as this Gentleman was gone, I dispatched my own Secretary to complain in my Name to the Ambassadors of their Captain, for not answering the Demand which ours had made of the Respect due to the King's Flag; adding, that I hoped it was not by any Direction or Order from their Excellencies. M. *Van Beuninghen* received him with all Protestations of Respect to his Majesty, saying, that they disputed not the King's Right; that their Captain had sailed in that River these 30 Years, and had known no such Rencounter, shewing him how their own Land lay on both Sides the River. Before my Secretary was come back, we observed the Man of War had taken down his Flag, and then a Gentleman comes from the Ambassadors on Board us, to tell us, the Ambassadors desired to come on Board of us to speak with us; whereupon we dropp'd Anchor, and stayed for them; and at the same time Sir *J. Williamson* was come on Board too.

M. *Van Beuninghen* did partly excuse, partly justifie what had pass'd; he confess'd our late Queen, his Majesty's Mother, had received this Respect in their Ports. We told him the Captain had gone upon other Presidents; but we did not enter into any long Discussion with them. Our Captain gave them Guns when they went off, which were answer'd by their Man of War when they came on Board him.

This Embarrass the Ambassadors might have avoided, if they had pleased to drop Anchor, and stayed (as they might have done very well) but some few Cables Length before they came up to us.

To Mr. Secretary Coventry.

Sir,

I Am much to seek what to answer to the Question you are pleased to put me, in yours of the 19 *th*, which is, what his Majesty, his Heirs and Successors, Kings of *England*, may reasonably pretend to be signified by these Words, *en la pleine & entiere joüissance du droit de pavillon.*

This Question, since it regards the Time to come, cannot have a direct Answer; for that all Princes generally govern themselves, as they find the Conjuncture of the Times to favour their Attempts: However, thus much I'll take Leave to answer as an *Englisb* Subject, and as one that is perswaded Law and Reason will be heard at all Times.

1. That the King of *England* for the Time being is Lord of those Seas, where he hath the Right of his Flag acknowledged; and that those Seas are, as much as that watery Element is capable of being so in its Nature, no less a Domain of the Crown, than the Honour of *Greenwich*, or Manor of *Eltham.*

2. That as the King in his Domains on Land enjoys all he has by written Law, or else by Custom, so he enjoys what he hath in his *Seigneurie Territoriale* by Sea, partly by Law, and partly by Custom, against his own Subjects; but by Custom principally, which hath a Force no whit inferiour to that of a written Law, being duly prescribed and circumstantiated against all Strangers whatsoever.

3. That the *Droits Souveraines* of the King in his Seas against Strangers, have all the Legal Requisites of a Prescription beyond the Memory of Man, and do not consist in one individual Point; as for instance, in having the Flag struck to, or in having the Liberty of Fishing acknowledged by yearly Sums of Money; but in all the several Rights, Honours, and Perquisites, that the Soveraignty is capable of producing, and have been enjoyed by former Kings of *England*, with this Difference from all Seigneuries that move from a Mesne Lord, or Lord Paramount, that our Kings hold this, as they do their Crown, from God alone, and by their Sword: To give an Instance; we see what the Republick of *Venice* enjoys by Prescription alone in that Gulph, *viz.* in giving or denying safe Conduct, and free Passage to Neighbours and Strangers as they see Cause. 2. In protecting Friends and Subjects from the Violencies of Enemies and Pyrates. 3. In requiring and having Security from Strangers that are suspected, and have Leave to pass, that no Harm shall be done to the *Venetian* Subjects, or other Friends in their Passage. 4. In imposing and levying Taxes from Strangers, in Consideration that they be protected and secured. These and other Things of this Nature, our Kings have formerly had and enjoyed, not as Appendages

of

of ſtriking to our Flag, but as Rights and Perquiſites of their Soveraignty in our Seas.

This being premiſed, may, I hope, be of ſome Uſe in preventing you from falling into any *Broüillerie* with the Commiſſioners; for if they ſay, the warranting of the Right of the Flag, may inſenſibly induce a Reſtraint upon their preſent Liberty of Fiſhing, or at leaſt 'twill neceſſarily ſuppoſe, it may be laid upon them, when the King pleaſes; I hope, it would be a ſufficient Anſwer to ſay, that one Enſign or Badge of Soveraignty doth not neceſſarily infer another, ſo as it may be concluded, that becauſe the one is made out by a full Proof, and a legal Preſcription, the other is ſo too. He that is ſtruck to, is thereby acknowledged to have the *Droits Seigneurieuſe* in that Diſtrict; and he that warrants the ſtriking, warrants no more to the Lord, than that ſingle *Droit*, the Lord being put to his Proof for the Fiſhery; (for Inſtance) nor does it follow, that that, or any Thing elſe, is warranted to him, becauſe he can produce a Warranty for the Flag.

A Lord of a Mannor hath Wardſhip; it doth not therefore neceſſarily follow, that he hath Heriots or Felons Goods. A Cuſtom always lies, as Things of Grant do, in Fact, and the Particulars muſt be made out by Proof; one diſtinct Cuſtom or Right never inferring another, by the Law of Nations.

I know the *Dutch* will never be rid of their Fears about the Fiſhery, not only becauſe our Kings have already pretended to it, but alſo that we have Acts of Parliament, and many Records, as antient as *Richard* II. that impoſe a Tax on Strangers Fiſhing Bottoms. They therefore got the *French* to warrant them in their Fiſhery, by the Treaty of 1662; but as that Warranty gave no Colour to the *Dutch*, to have their not ſtriking to our Flag warranted to them, when they refuſed to do it (as 1671 they did refuſe) ſo their warranting to us now the Right of the Flag, cannot be imagined to influence in any wiſe the Title we might pretend of giving Law to their Liberty of Fiſhing on our Coaſts; the one and the other being ſeparate diſtinct Badges of his Majeſty's Soveraignty in his Seas, and depend upon their ſeveral Proofs, in Point of Uſage and Preſcription.

One Thing it may be proper for you to mind them of, that they, the *Dutch*, ſet up this very Right of the Flag, at this Time in the *Eaſt Indies*; ſo do the *French* in *America*, with more Punctuallity than ever any of our Kings have done it in theſe Seas; put the Caſe then, we were deſired to warrant the *Dutch* in the full and entire Enjoyment of their *Droit de Pavillon* in that Caſe, we could not, upon the Execution of our Warranty, be brought into any Controverſy about Pyrates Veſſels, or Ships carrying Succours to their Enemies.

In a Word, Guarranties are *ſtrictiſſimi Juris, tantum diſponunt quantum loquuntur*, we can challenge no more but what is expreſly ſtipulated; and whatever the States do warrant, 1. They'll not be obliged to more than what the Words of the Warranty do naturally import. 2*dly*, That if there do ariſe any Difficulty or Diſpute upon the Words, and Extenſion of their Warranty, it ſeems to me, under Correction, but reaſonable that our *joüiſſance*, which they undertake for, ſhall be interpreted with the ſame Extent that we were in Poſſeſſion of, when this Warranty was entred into; and the rather, in that there is a Treaty in the Caſe, that directs them, the *Dutch*, what they are to do; and they cannot be meant to warrant that the *French* ſhould do more than they, the *Dutch*, are bound to do, unleſs the Stipulation do bear it moſt expreſly. I am, *&c.*

L. Jenkins.

To Sir Thomas Allen, *Admiral of the Blue Flag.*

Sir, *Octob.* 8. 1670.

I Take the Liberty at this Time to renew the Requeſt I made unto you before, it is, that you'll be pleaſed to enquire ſecretly, and as it were by the by, for your own Satisfaction, of the ancient Seamen you may happen to meet with, both in *Trinity*-Houſe, and elſewhere; 1. Whether they were on Board the *Happy Entrance*, a King's Man of War, that carried over *Thomas* Earl of *Arundel* to the Courts of *Holland*, in the Year 1636, and whether they remember the ſaid Man of War (Sir *G. Carteret* Commander) being got over the Bar, and entred into the Road of *Goree* in *Holland*, in order to anchor there, *Van Trump*'s own Ship, that did ride there, did ſtrike to it. 2. Whether any of them remember the Prince Elector *Palatine*'s going over hence into *Holland* in Sir *Henry Mervin*'s Ship, in the Summer 1637. Whether any of them took notice, that the Earl of *Northumberland*, being then Admiral and at Sea, attending the Prince, and eſpying the *Dutch* Fleet at ſome Diſtance, diſpatch'd a Pinnance towards them, upon the Approach of which, the whole *Dutch* Fleet, one by one, ſtruck Sail. 3. Whether they know or heard of any that commanded, or was in a Pin-

nance, or ſome ſmall Man of War, when it met with *Opdam* coming from *Liſbon*, with 25 Men of War under his Command, and did both require and receive from that Admiral, and his whole Squadron, the Reſpect due to his Majeſty's Flag. 4. How far the *Britiſh* Sea, or *Britiſh* Ocean, does in common Reputation extend itſelf; and whether all that which waſhes the Coaſts of the *Low-Countries*, as well as that which runs upon the *French* Coaſt, has been antiently deem'd, and reputed the *Britiſh* Sea? In a Word, tho' the Cuſtom of ſtriking to the *Engliſh* Flag has been ſo ancient, univerſal, and unqueſtionable, that it would have ſeem'd abſurd in other Times to have thought the Proof of it requiſite, or uſeful to the Publick; yet ſince all Men are mortal, and our old Men that now are, will e're long go the Way of their Fathers, his Royal Highneſs would willingly provide, that Poſterity may not want all the Light that may be given them in his Time; I am therefore under a Command, and under a Secreſy too, to enquire into the Strength and Fulneſs of the Proofs that may, if need be, at this Time be made of thoſe two Points. The one, that our Neighbours, *French* and *Dutch*, never made any Difficulty to ſtrike to the *Engliſh* Flag, even upon their own Coaſts, as being ſtill upon the *Britiſh* Seas, where our Kings have had this Prerogative Time out of Mind. The other is, that a ſingle Ship of ours, if commiſſioned for War, tho' never ſo inconſiderable in its Strength, did make whole Squadrons and Fleets of the Neighbour Nations to ſtrike, and particularly the *Spaniards*, near the *Spaniſh-Netherlands*, and the Subjects of the united Provinces near their Coaſts. What does occur to you in Matter of Fact in theſe Points, will be very welcome to me, and I'll take the beſt Courſe I can to tranſmit it upon Record to Poſterity. I do not trouble Sir *Jeremy Smith* with a Repetition of this, becauſe I know you will impart it to him: but I deſire it may be with my humble Service. I pray ſend the poor Relations of your deceaſed Seamen, that happen to be concerned in proving of Wills, or in taking of Adminiſtrations, ſtrait to me, I'll ſee Juſtice done them, and that they have the Benefit of the new Act to the full: Be pleaſed likewiſe to ſend me thoſe that have Cauſe to complain of any unjuſt Demands, or unneceſſary Delays in the Prerogative Court, and, God willing, I'll ſee them righted to the utmoſt; for beſides the ſtrict Reſpect I owe to Juſtice, and the Laws, I have an unfeigned Tenderneſs for a poor Seaman and his Relations; there being no ſort of People that gain a miſerable ſmall Livelihood, with more of Hardſhip and Danger, than poor Seamen do; nor none that venture their Lives more freely for the Honour and Security of the Crown. I am with all Sincerity,

L. Jenkins.

To the KING, *and the Lords of His Majeſty's Privy Council.*

May it pleaſe Your Majeſty,

IT is not without the greateſt Regret and Diffidence that I offer any Thing of mine to be put in the Ballance againſt the Reaſons of my honoured Collegue, for whoſe great Judgment and long Experience I have the moſt profound Deference, tho' it be my Unhappineſs to differ in Opinion from him, touching the Releaſe of the two *Italian* Ships, whereof I am now to give an Account, in Obedience to your Majeſty's Order in Council, of the 21*ſt* of this Month.

I have not any Inducements to ſuſpect that theſe Ships, the *Emperor Conſtantine* and *Aſcenſion*, are other than free Bottoms, the firſt belonging to *Venice*, the other to *Genoa*, my Suſpicion is upon all the Lading that was taken in at *Cadiz*, and a great Part of that which was taken in at *Malaga*; and 'tis grounded partly upon the Ship Papers, partly upon the Oaths of the two Maſters, and partly upon the Company in which theſe Ships were taken; not to mention *Oſtend*, which was the Port pretended for Diſcharge.

They were taken in Company with 4 Ships more, which are already condemned as lawful Prize to your Majeſty; I will not ſay they were in Conſortſhip with them, tho' there was an Inſtrument to that Effect, found aboard one of thoſe Ships, which was probably the Admiral to this Fleet; 5 whereof (very conſiderably laden) were bound for *Oſtend*; (a Port not uſed before the War to receive ſuch Conſignations) and the 6*th* directly for *Amſterdam*.

Besides, the Steerſman aboard the *Aſcenſion* was a *Hollander*, who had parted at *Cadiz* with one of the Ships already condemned, whereof himſelf was Maſter, by a Sale, which was confeſſedly ſcenical and by Way of Color only, to a *Spaniard*; then he takes the Place of Steerſman in this *Aſcenſion*, but ſo, that the Ship he had parted with, remained ſtill in his Eye, and not improbably under his Direction all this Voyage.

The

The Papers, tho' they have a Face of Reality, as to the Intereſt of the principal and original Freighters at *Venice* and *Malaga*, yet there is no Account that doth otherwiſe than raiſe Suſpicion, either from the Papers, or from the Maſter and Mariners Oaths, concerning the Silver and Indico put a-board by under-Laders at *Cadiz*, there being no Letter of Advice concerning them, and the Bills of Lading not ſpecifying ſome Particulars, and being filled up with ſuſpected Names.

Among the Papers, ſome mention and direct the *Aſcenſion* to be reladen with Pipe Staves in *Zealand*, one Paper wherein the Writer is pleaſed to rail at the *Engliſh*, and another ſubſcribed by *J. Rembourts*, who directs a Pattern, which this Ship was to bring to *Oſtend*, to be ſent thence to one of the ſame Name, a known Trader in *Amſterdam*.

But the Maſters, in their ſeveral Anſwers, do not ſpeak out; for one of them being ask'd of what Nation one of the Laders, *Ant. Coleman*, was, anſwers he knows not, yet ſo much he was concerned to inform himſelf of, ſince it is not poſſible that Perſons concerned (ſuch as Maſters of Ships are) ſhould, in the Month of *July*, be Strangers to your Majeſty's Declaration, whereby the Goods of unfree Perſons are declared to infect the Ship. Yet both of them on Oath do ſay, they knew nothing of the Perſons from whom, or the Account upon which, the Goods were put on Board them at *Cadiz*; and the Maſter of the *Aſcenſion* being asked, whether he was to go any further than *Oſtend*, in Caſe he found not *pratique* enough to relade there, anſwers, that he knows not; yet his original Lader, who had, it ſeems, undertaken for his relading, directs he ſhould, in Caſe of no *pratique* at *Oſtend*, lade himſelf with Pipe Staves in *Zealand*.

'Tis true, the Caſe is now alter'd from what it was when I refuſed to conſent to the Releaſe of theſe Ships, for there are publick Atteſtations come ſince from *Flanders*, that ſeveral of the Conſignataries there have made Oath, that the Goods conſigned unto them reſpectively in theſe Ships do belong to free Perſons and no other. But theſe Atteſtations concern only the Goods which were laden at *Venice* and *Malaga*, there is nothing at all offered as to the other Goods laden at *Cadiz*, and I cannot impute it either to the Want of Intelligence, or Activity, that the Conſignataries of *Oſtend* and *Antwerp*, whoſe Names are uſed for theſe Goods, have not appear'd and concern'd themſelves, as well as the others, in three whole Months, that thoſe Ships have been under Seiſure.

And here I cannot but note, that theſe Claimers have all this while very induſtriouſly declined a judicial Tryal. My Lords the Commiſſioners for Prizes, upon the Report which I had the Honour to make to their Lordſhips, having not thought fit to diſcharge them, but to remand them to the further Excuſſion of the Admiralty.

Yet I muſt confeſs, all I have offer'd amounts to no more than Matter of Preſumption againſt theſe Ships, here are no Proofs in the Caſe. But here I muſt crave leave to obſerve to your Majeſty, which I humbly conceive to be undeniable, the one in Point of Law, that where Proofs are difficult, ſuch Preſumptions as are juſt and weighty ſhall ſo affect the Party preſumed againſt, that they ſhall be reputed Proofs againſt him, until he do take them off, and evince the contrary by legal and concluding Proofs. The other is in Point of Fact, that where coloring is, 'tis impoſſible there ſhould be any Thing but Preſumptions on your Majeſty's Behalf; for as 'tis certain, the *Dutch* do ſtill carry on a main Trade under theſe Diſguiſes, ſo 'tis not to be expected, that they ſhould lay their Scenes with ſuch Colors, as ſhall at firſt View betray their Deſign. And as it is on the one Side, a high Diſſervice to your Majeſty, and to the Juſtice and Reputation of your Majeſty's Arms, that any Negotiants, who are free and innocent, ſhould be worried with groundleſs Vexations and Delays, ſo it ſeems moſt juſt and ſuitable to your Majeſty's undoubted Right of Dominion and Protection in theſe Seas, that thoſe who paſs them towards Ports, ſo much and ſo juſtly ſuſpected as *Oſtend*, ſhould give a ſatisfactory Account, which they, who are in *bonâ fide*, are ſeldom unprovided to give, that they do not carry on the Trade of thoſe, who are in Hoſtility againſt your Majeſty. All which I moſt humbly ſubmit to your Royal Wiſdom.

L. Jenkins.

To Sir Joſeph Williamſon.

Sir, *May* 8. 1672.

It was my Unhappineſs, that neither my moſt honoured Lord the Earl of *Arlington*, to whom I owe almoſt all I am in the King's Service, nor my Lord *Clifford*, whoſe Condeſcenſions to me are infinitely great upon all Occaſions, were preſent at yeſterday's

day's Debate: Not that I pretend my Opinion ſhould be in the leaſt heard or conſidered, where the Queſtion is, which Way his Majeſty may be beſt ſerved. But that there are ſome Conſequences that deſerve to be attended to in this Caſe, I mean the Danger of After-reckonings and Repriſals from our Neighbours; and the introducing of a new Law of War, not ſo honourable for us to endure from others, when his Majeſty ſhall be in Peace, and his Neighbours at War.

Give me Leave therefore, I pray Sir, to ſuppoſe the Claims of the King's Subjects and Friends not admitted, but all Plea precluded them in the Admiralty; in this Caſe they cannot be denied the Liberty of Appealing, *firſt* to my Lords the Commiſſioners, then (if not relieved) to the King. They will inſiſt, that by Courſe of Admiralty they were never called to ſhew Cauſe, why their Goods ſhould not be judg'd Prize, and being come, they were refuſed a Hearing. It will be urged, that it is againſt the Law of all Courts, and the Rights of all Nations, not to hear the Party in Judgment before Sentence paſs againſt them. A Court may overrule a Plea, but cannot refuſe to hear it, come in Time; ſo that what their Lordſhips ſhall be neceſſitated to determine upon this Point, if it come before them, is ſo much the more to be conſidered, in that to refuſe this Benefit of Law to Strangers, is by all Men taken to be juſt and ſufficient Cauſe of Repriſals againſt the Refuſers.

I will further ſuppoſe Mens Goods to be condemned on the ſingle Point of Freighting, without Regard to the Flag; (for where the Flag is refuſed, there is an expreſs Law that makes it equally fatal to all) in this Caſe the Claimers muſt be heard again upon their Appeal; where they will be ſure to ſay ſeveral Things, that, I muſt confeſs, I know not how to anſwer: As,

That no Hoſtility acted by the *Dutch*, (ſuppoſing them the Aggreſſors) ſhall involve a Stranger, not Party to it, before a War declared; for tho' the *Dutch*, by their Injuries and Hoſtilities, may have made it lawful for us to treat them as Enemies, before any formal Denunciation of War; yet we cannot treat others, that are not Parties to the Hoſtility, nor under their Obedience, as our Enemies upon their Score, until we give them Warning of the Danger by Publication of War.

That our Friends on Board the *Dutch* could not be made Priſoners of War, nor put to Ranſom, can't be denied; there is the ſame Reaſon their Goods ſhould be free, ſince they could not foreſee this Rencounter, and were paſſive in it.

That the *Dutch* (tho' Enemies) are enabled by the Declaration to make their Retreat even after the War begun, and have 4 or 5 Months ſtill to withdraw their Effects from hence; it were hard to put the good Subject, or the Friend, into a worſe Condition than our Enemies, by a Law made, or a Judgment given after the Rencounter.

If his Majeſty were in Peace, and found any of his own Subjects in theſe Circumſtances, fallen into the Hands of any of his Neighbours, beginning a War againſt ſome, he would no doubt extend his Royal Protection to them. Theſe and many more Arguments would be made Uſe of to reverſe ſuch a Sentence if I ſhould give it. In a Word, Sir, could I find upon my own Search, or the King's Council ſhow me any Law or Precedent for this Caſe of Subjects and Friends, I ſhould with as little Difficulty as any Man, ſince it is their Lordſhips Pleaſure, proceed to that Sentence. However, I ſhall not only with perfect Submiſſion, but with unfeigned Satisfaction, be ready to lay down my Charge at his Majeſty's Feet, if his Majeſty pleaſes to believe, or my Lords his Commiſſioners to determine, that my ſo doing will be better for his Majeſty's preſent Service.

L. Jenkins.

Aug. 8. 1672. Whitehall.

By the Right Honourable his Majeſty's Principal Commiſſioners of Prizes.

WHEREAS ſeveral Differences have ariſen, (and may hereafter ariſe) concerning divers Ships and Goods taken as Prize, and ſeized in Port or elſewhere, whether they do belong to his Majeſty, or his Royal Highneſs, as Lord High Admiral, and that ſome of them are yet undetermined, We do therefore deſire you Sir *L. Jenkins*, Knt. Judge of the High Court of Admiralty, leaving it wholly in your Power from time to time to hear and examine the Caſes, as well of the Ships and Goods aforeſaid, and of all other Ships Cargoes and Goods now depending between his Majeſty and his Royal Highneſs, as of all Ships and Goods of that Nature wherein any Difference may ariſe, and that may hereafter come into Queſtion; and therein

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to give final Sentence, and to determine the Right and Intereſt in them according to Law, ſaving to either Party their juſt Right and Liberty of Appeal.

Rupert.
Arlington. *H. Coventry.*
J. Williamſon.

To Sir L. Jenkins, *Knt. Judge of the High Court of Admiralty.*

To Mr. Pepis, *Secretary of the Lords Commiſſioners of the Admiralty.*

SIR,

THE Character you give of Dr. *Briggs* is a very true one, and nothing more than he really deſerves; yet in Regard of his being a Clergyman in the Order of Prieſthood, and a beneficed Man, I cannot ſay but that is an Objection to his being a Judge in a Vice Admiralty; not that I am of Opinion in the leaſt, that his Holy Orders do unqualifie him, if he be called to ſuch a Temporal Buſineſs, but that in this Caſe it will be his Duty and his Place, if a Commiſſion of Oyer and Terminer ſhould come to be executed in his Vice Admiralty, to give the Rule of Court, and to pronounce even in capital Caſes, and Caſes of Blood, which a Clergyman, I think, ought not to do as the Law now ſtands; 'tis true, any one in the ſame Commiſſion may give the Rule, but it is incumbent on him (as Judge) to do it. I muſt confeſs, I did deliver my Opinion to this Effect, in the Caſe of my worthy Friend Sir *Jon. Trelawney* for the ſame Reaſon; but the late Commiſſioners of the Admiralty nevertheleſs thought fit to make him Vice Admiral in his Father's Room; and it is under Correction, and in perfect Submiſſion, that I now mention this Scruple of mine.

L. Jenkins.

To Mr. Pepis, *Secretary to the Lords of the Admiralty.*

SIR, *Nimeguen* 1676.

I Take Leave, even at this Diſtance, to beg your Favour, and by that Means the Protection of my moſt honoured Lords the Commiſſioners of the Admiralty, to the Regiſter and Marſhal of the Admiralty Court: They, as well as my ſelf, have been very much out of Purſe, in Expences neceſſarily and unavoidably incurr'd in the Seſſions held for criminal Matters. When Offenders are taken in hold, they muſt be kept, to prevent a Failure of Juſtice. The Judges and Commiſſioners that attend, (and they are ſeldom leſs than 40 in Commiſſion) are always detain'd one whole Day, and ſometimes two, and expect to be entertained as in former Times, at the Charges of the Admiral. It is true, the Judge of the Admiralty hath uſually bore one half, the Regiſter and Marſhal the other half of that Expence. This they might do formerly much more eaſily than now they can; for then they had *Droits* and Perquiſites in the River *Thames*, which were very conſiderable, and their Places, before Prohibitions took away ſo many Cauſes from the Admiralty, were worth treble of what they now are: I ſpeak to Times of Peace only: What Pretence of Salaries or Gratuities the Reigſter and Marſhal formerly had, if any, I am not ſo well able to ſay: But ſure I am, the Judge had both a Salary of 100 *l.* a Year out of his Majeſty's Exchequer, as will appear by the State of the yearly Expences of the Crown, to have been paid till the latter End of K. *James*'s Reign, and had conſtant yearly Gratuities, ſometimes 200 *l.* ſometimes 300 *l.* a Year, or more, that the Admiral for the Time being aſſigned them out of the Revenues of his Office. I ſpeak not only of ancient Times, but it was ſo in the Time of the Earl of *Nottingham*. It is true, theſe Gratuities in his late Majeſty's Reign fell into another Channel, and I could eaſily ſhew how, if need were. I do not in the leaſt plead for my ſelf, and if my own Profits were even leſs than they are, I ſhould be content; but as it is extreamly neceſſary thoſe criminal Courts ſhould be kept up, ſo I fear it will be abſolutely impoſſible to do it, unleſs the Charges be born ſome other Way than by the Officers; who, as they have no Salaries, ſo the Perquiſites of their Places will not half maintain Men of Capacity for thoſe Employments. I have, I think, ſometime told you, SIR, the preſent Value of my Place: I am aſhamed to put it in Writing: The Regiſter's and Marſhal's are in proportion. I do the rather beg your Favour for the preſent Officers, for that in good Truth they do deſerve as well in their reſpective Stations, as any of their Predeceſſors that I remember either upon my own Knowledge, or from what is left behind of them in our Regiſtries. I am aſhamed, SIR, to give you this Trouble, which yet I do not give ſo much in their Favour, as in the

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Behalf of thoſe criminal Seſſions; which, if I underſtand them rightly, are of great Concern and Support to the old *Engliſh* Diſcipline at Sea, and conſequently to the Good of our Navigation and Commerce.

L. Jenkins.

To the Duke of York.

May it pleaſe your Royal Highneſs,

I Cannot ſee any Reaſon to ſuſpect, but that the King's Majeſty being deſcended in a direct Male Line from *Henry* Lord *Darnely*, Father of K. *James* of Bleſſed Memory, and from the Lord *John Stuart*, the firſt Lord of *Aubigny* of that Name, ſucceeds in Remainder (as we term it here) to my Lord Duke of *Richmond* in the *Seigneury of Aubigny*, by the Grant made of it, being not to return to the Crown of *France*, but in Default of Heirs Males of the ſaid *John Stuart* in direct Line, is undeniable, not only by the Grant of *Charles* VII. bearing Date the 26 *th* of *March* 1422. but by Confirmation alſo of *Hen.* II. who having ſeized this Seigneury into his own Hands, as Part of his Royal Domain, afterwards, upon the Sight of *John* (then) Lord of *Aubigny*'s Title, took off his Hands by a ſpecial Arreſt (or *Main-Levée*) of the 25 *th* of *May* 1560. But how his Majeſty can condeſcend to lay Claim to this little Succeſſion, I muſt confeſs I am not able to ſay; ſince the preſent Law and Uſage of *France* require, that the Tenant to the King be a Subject born, or elſe naturalized there; and that this Seigneury is held *par foy* and Homage from that Soveraign.

If his Majeſty ſhall think fit to give Way to your Royal Highneſs, to ſet up this Title in your own Right; (which will be clear as to Point of Deſcent) I am afraid your Royal Highneſs will yet have a great Difficulty to remove the Objection that may be made, of your being incapable to inherit or ſucceed in this Seigneury, ſince you were not actually naturalized at the Time of my Lord Duke of *Richmond*'s Deceaſe. For I take the Law there to be unqueſtionable, that a Stranger who is naturalized, as my Lord Duke was, dying without Heirs of his Body born in *France*, after the Time of his Naturalization, and alſo without Kindred enabled by their Birth there, or elſe by their Naturalization, to ſucceed him, his Eſtate muſt *Eſcheat par des herence* to the Crown, or Lord of whom it is holden.

In this Caſe your Royal Highneſs ſeems to have but one Plea in Law, (what the preſent Juncture of Affairs may afford beſides, is not my Buſineſs to ſay) it is, your having been received into, and executed the Charge of *Captain de la Garde Ecoſſoive du Roy*; for to all the Officers and Archers of that Guard, *Hen.* II. gave the Privilege to acquire, *tous biens tant meubles qu'immeubles, les tenir & poſſedir avec ceux qu'ils avoient deja acquis, & qui leur pourroient eſchevir competer & appartenir, ſoit par ſucceſſion, donation, au autrement* 1547.

The Natives of *Scotland*, after that *Francis* II. had married the Queen, your Royal Highneſs's great Grandmother, were declared to be capable of all Succeſſions as Natives; but when theſe Letters of *Hen.* II. came to be verified in Parliament, they were reſtrained, curtailed, and with Limitation made Temporary, and conditional, *viz.* as long as *Scotland* ſhould remain in Obedience to that King; and on Condition the *Frenchmen* ſhould inherit and ſucceed in the ſame Manner in *Scotland*; beſides that, the Declarations themſelves do preſuppoſe none of our King's Dominions capable of theſe Privileges, but ſuch as are actually Natives of the Kingdom of *Scotland*.

However, your Royal Highneſs may pleaſe to deſire his Majeſty, (if he think fit) to direct his Ambaſſadors now in *France*, 1 *ſt*, To take Order that a *Caveat* be enter'd forthwith in the *Chambre des Comptes*, and that Oppoſition be made againſt any Perſon that ſhall, as *Grantee* to the Moſt Chriſtian King, deſire to have the Seigneury of *Aubigny* enter'd there, as an *Eſcheat* fallen to the King *par des herence, ou droit d'Aubaine*. 2. To take Order, that the uſual Oppoſitions, in Caſes of *Eſcheats* pretended, be made in the Province of *Berry*, where *Aubigny* lies, againſt all Seizures, which either the *Procurateur du Roy*, or the Officers of the Prince of *Condé*, ſhall attempt to make; and that the *Concierge* of *Aubigny*, now as I take it of the Lady Dutcheſs of *Richmond*, be diſpatched thither forthwith, to keep Poſſeſſion for your Royal Highneſs. 3. To endeavour with all the Vigour poſſible to iſſue out Letters, not of Naturalization, but of Declaration, (which is a uſual Form there) wherein there ſhall be a Retroſpect to your Royal Highneſs being accepted and reputed in the Years 53, 54, and 1655, as naturalized to all Effects and Intents of Law, in your then perſonal exerciſing of the Charge aforeſaid; and that notwithſtanding your Royal Highneſs's Diſcontinuance and Abſence for ſome Years out of that Kingdom, yet that you are to be reputed ſtill, and declared to enjoy all the Privileges of a Captain ſo exerciſing the ſaid Charge; and of a *Regnicola*, as well in order to inherit and ſucceed in

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Lands and Poſſeſſions, as to enjoy the uſual Privileges and Immunities of that Place. All which is humbly ſubmitted to your Princely Wiſdom.

L. Jenkins.

To the Right Honourable the Lords Commiſſioners of the Admiralty.

May it pleaſe your Lordſhips,

AS I was inſerting your Lordſhips Names, as Lords Commiſſioners of the Admiralty, into the ordinary Form of a Commiſſion of Oyer and Terminer, which I had prepared to preſent to my Lord Keeper, in order to the Trial of the Pyrates now in hold; there occurr'd to me a Doubt of that Importance, as to need your Lordſhips Reſolution and Directions in it, before I proceed any further.

THE Caſe, MY LORDS, is thus; Our Commiſſions of Oyer and Terminer for Admiralty Cauſes are, by the Words of the Statute 28 *Hen.* VIII. *c.* 15. to be directed to the Admiral or Vice Admirals, or to his or their Lieutenants, Deputy and Deputies; and to 3 or 4 ſuch other ſubſtantial Perſons, as ſhall be named or appointed by the Lord Chancellor for the Time being.

HIS Majeſty, in his Commiſſion to your Lordſhips, doth declare, that the Office of High Admiral is now, by his Royal Highneſs's Surrender, become void, and that he hath determined not to beſtow or confer it upon any other Perſon for the preſent, but to have the ſame exerciſed and executed by your Lordſhips, as his Commiſſioners; and therefore his Majeſty, by his Commiſſion, gives and grants unto your Lordſhips full Power and Authority to do, exerciſe, execute, and perform, all and every the Powers, Authorities, Juriſdictions, Acts, Matters, and Things, which to the Office of a Lord High Admiral doth appertain. Hence, MY LORDS, my Doubt ariſes, whether the Letter of this Statute may be ſo far varied from, (the Office of Admiral being now void, and conſequently the Patent of his Lieutenants and Deputies out of Doors) as that a Commiſſion of Oyer, that ſhall be good and valid, may be directed to your Lordſhips, inſtead of a Lord High Admiral; or whether there be a Neceſſity of a Lord Admiral *pro hac vice*, to the End Proceedings may be had upon ſuch a Commiſſion. For this being a Statute which introduces a new Law, and directs a new *Modus procedendi*, with theſe two weighty Circumſtances; 1. That it is a Law in penal Caſes, even extending to Life it ſelf. 2. Here is an expreſs Deſignation and Choice of a great Officer, before whom theſe Proceedings are to be had; ſo that I know not whether the Strictneſs of the Letter may be thus varied from in a Point of this Moment.

I have the greater Reaſon to doubt, in that upon this very Statute, a Queſtion (much nicer to my ſeeming than this) was moved before all the Judges at *Serjeants-Inn*, 4 *Eliz. viz.* whether a Commiſſion iſſued out and executed about that Time, upon this Statute, for Trial of Pyrates, was ſufficient in Law, becauſe the 4 Perſons named and joined with the Admiral in that Commiſſion, had been named by the Lord Keeper; whereas the Statute directs they ſhould be named by the Lord Chancellor for the Time being. 'Tis true, that Doubt was the next Year after cleared, and the Law declared by Act of Parliament touching the Lord Keeper's Power. But the Judges were upon this very Queſtion divided; thoſe who thought the Commiſſion not to be good, yielding for Reaſon, that the Act being penal, was to be taken ſtrictly; and thoſe that thought it good enough, concluding it was ſo, becauſe the Act of the Lord Keeper, in iſſuing out this Commiſſion, and naming thoſe 4 Perſons, was meerly miniſterial, and not judicial; which Expoſition ſeems to limit us more cloſely to the Words in the preſent Caſe. For tho' I cannot find that any Lord Admiral did ever in Perſon preſide in the Judicial Execution of any of theſe Commiſſions, yet to what County or Place ſoever this Commiſſion hath happened to be limitted, the Precepts of *Venire Facias*, to the Sheriff or Officers, as alſo the Warrants for proclaiming the Seſſions, for bringing the Priſoners to their Trials, for executing ſuch as had Sentence of Death againſt them, were in the Admiral's Name, and under his Seal of Office iſſued out of this Court.

Dy 211. *5 Eliz. c.* 18.

IT is an Obſervation on the Statute of forcible Entries, that Juſtices of Oyer or Goal Delivery, cannot do thoſe Things that Juſtices of Peace are there appointed to do; and yet the Words of the Statute are not negative or excluſive. But the Practice on the Stat. 31 *E.* 3. *c.* 12. for bringing Errors into the Exchequer, to be examined before the Lord Chancellor, and Lord Treaſurer, is that which heightens my Doubt; for that two Acts of Parliament, *viz.* 31 *Eliz. c.* 1. and 16 *Car.* II. *c.* 2. had made it ſufficiently evident, that the Preſence of thoſe two

Forſter's Caſe, 11 *Co.*

two great Officers was ſtill neceſſary in the manner firſt limited, and that their Abſence was not to be ſupplied or diſpenſed with but by Act of Parliament. There was a 3*d* Act of the 20*th* of his preſent Majeſty, that fully implies, that the Lords Commiſſioners of the Treaſury then being, could not give Judgment in Writs of Error, as a Lord Treaſurer might have done; and therefore the Act provides, that in the Vacancy of a Lord Treaſurer, Judgment may be given in the Preſence of the Lord Keeper, in the Manner accuſtom'd; how far parallel that Caſe is with this of your Lordſhips, I humbly ſubmit to your Lordſhips better Judgment.

20 *Car.* II. *c.* 4.

THUS much being ſaid upon the Word Admiral, I know not whether your Lordſhips will think it worth while to make any Reflexion upon the Disjunctive *or*, to his or their Lieutenant, Deputy or Deputies, for theſe Words ſeem to be meerly relative to the Being of an Admiral. By the Word Lieutenant, has been always underſtood the Judge of the Admiralty, the Admiral conſtituting him his *locum tenen. General.* by Patent; by Deputies, are meant the Vice Admirals of the ſeveral Diſtricts. The Judges of the Admiralty have held their Places moſt commonly by Patent from the Lord High Admiral, but we have ſeveral Precedents both before and ſince this Statute, of Commiſſions immediately from the King to conſtitute a Judge of the Admiralty, and this is my Caſe at preſent; for having had the Honour firſt to ſerve this Poſt by Patent from his Royal Highneſs, his Majeſty was moſt graciouſly pleaſed, upon his Royal Highneſs's Surrender, to think upon his Servant, and to give Orders for a Commiſſion for me (tho' I was abſent) to hold this Place from himſelf. In which Commiſſion are theſe Words; *Teq; Leolinum Jenkins locum-tenentem noſtrum in dicta Curia Admiralitatis Angliæ, & officialem principalem Comiſſariumq; generalem & ſpecialem, ac Antedictæ Supremæ Curiæ Admiralitatis Angliæ preſidentem & Judicem, ordinamus, facimus*, &c. Which Words (in Regard of the Word *Locum-tenens* among them) I have taken Leave here to inſert, that the whole Caſe (as far as I underſtand it) may lie before your Lordſhips, in order to have ſuch a mature Reflexion upon it, as the Conſequence of the Thing ſeems to require. I am, *&c.*

L. Jenkins.

To the Right Honourable the Lords Commiſſioners of Prizes and Appeals.

May it pleaſe your Lordſhips, *Nov.* 13. 1674.

AS ſoon as I had the Honour to receive your Lordſhips Letter of Reference, touching the Negroes taken and claimed by Captain *Gallop* of *Jamaica*, I directed the King's Proctor to propound his Allegations, if he had any, whereby to prove and evince, that the Negroes pretended to by Captain *Gallop*, ought not to be adjudged to himſelf as Pillage, by virtue of the 7*th* Article of an Act of Parliament, made in the 13*th* Year of the King, *c.* 9. It is true, C. *Gallop* was not at that Time, nor at any Time ſince, a Party in Judgment before me; however, in Regard he had put in ſuch a Claim by Petition to his Majeſty, and that your Lordſhips had thought fit to refer the Examination of his Pretenſions to me, I thought this Courſe of Proceeding to be cleareſt and moſt indifferent; but the King's Proctor having not had, as it ſeems, any Informations in this Caſe, alledged nothing (I mean concludent or reſolvent in the Point in Queſtion) beſides what muſt be acknowledged on C. *Gallop*'s Part: So that I have no more to offer to your Lordſhips, than theſe my Reflexions upon the whole Matter.

1. THIS Ship with Negroes, called the *Suſan* of *Amſterdam*, belonged to Merchants there, and was taken by C. *Gallop*, Commander of his Majeſty's hired Ship the *Thomas* and *Frances*, and one C. *Odway*, being in Conſortſhip with him, in a private Man of War called the *Flying Horſe*.

2. THIS Ship *Suſan*, and her Lading, was wholly of *Dutch* Property, and fought againſt *Gallop* and *Odway* before the War was ended, conſequently was a lawful Prize.

3. IF it ſhould be pretended to be a *Dutch* private Man of War, I humbly conceive it is not well founded; for tho' it had a Commiſſion of War from the Prince of *Orange*, yet the Depoſitions ſpeak her to be a Merchant Ship, and upon a Trading Voyage when ſhe was taken, ſhe having ſet out from *Hamburgh* with a Lading of Brandy, *&c.* and having barter'd it upon the Coaſt of *Africa*, brought her Negroes to the Coaſt of *Curaſao*, where ſhe was taken.

4. ACCORDING to the Articles of Conſortſhip, tranſmitted to me from your Lordſhips, between *Gallop* and *Odway*, the one half of the Negroes ſeems to belong, and is (if I miſtake not) already adjudged by the Governour of *Jamaica* to the King's Account: *Odway* and his Setters out are contented with one fourth of them, and to have

have the other fourth aſſigned to certain publick Uſes of the Iſland, *viz.* gratifying of Officers, paying the wounded and hired Men, and repairing the Forts.

5. The Number of Negroes being 544, and $54\frac{2}{5}$ of them being to be deducted for the Lord Admiral's tenths upon the whole, Captain *Odway* hath $122\frac{1}{2}$ to his Share, the publick Uſes of the Iſland $122\frac{1}{2}$, likewiſe Captain *Gallop*'s Ship hath $244\frac{1}{2}$ to the King's Share, which is one full Moiety, the tenths aforeſaid deducted.

I have nothing before me, My Lords, what Goods or Merchandiſes there were in this Ship beſides, nor any Means to inform myſelf of the true Value of the King's Allotment, which is one Thing given me in Charge by your Lordſhips Letter.

Nor doth it appear, upon what Terms Captain *Gallop* is in this Service; only the Ship, whereof he is Commander, is agreed, in the Articles of Conſortſhip, to be the King's hired Ship, and by the Claim he makes of theſe $244\frac{1}{2}$ Negroes to himſelf and Company as Pillage, he ſeems to be in the King's Pay; without which, his Claim by Act of Parliament would not lie. The Words of the Article in that Act are theſe.

"It ſhall be lawful for all Captains, Seamen, Soldiers, and others, ſerving as "aforeſaid, to take, and have to themſelves as Pillage, without Account to be "given for the ſame, all ſuch Goods and Merchandiſes (other than Arms, Ammu-"nition, Tackle, Furniture, and Stores of ſuch Ships) as ſhall be found by them, "or any of them, in any Ship they ſhall take in Fight or Prize, upon, or above the "Gun-Deck of the ſaid Ship, and not otherwiſe.

Upon theſe Words, it will not, as I humbly conceive, be controverted, but that Negroes are to be reputed Goods or Merchandiſes in this Ship, as they are (generally ſpeaking) a Part of the Commerce in thoſe Parts. How many of them were upon, or above the Gun-Deck; and how many in the Hold, does not appear in Proof before me. Nor doth it appear, whether this Ship was not of a Built peculiar for the Tranſport of Negroes. But ſuppoſing, firſt, that the Ship is of the ordinary Built of other Merchant Ships, and not of a peculiar Fabrick for the Tranſport of Negroes. 2. That theſe Negroes had no other Place or Stowage, but upon, or above the Gun-Deck, and that they were actually above the Gun-Deck, at the boarding and ſeizing the Ship; I am of Opinion, with Submiſſion to better Judgments, that Captain *Gallop* and his Company are, and ought, to have the King's Quota of the Negroes, (according to the Letter of the Article) as their Pillage, notwithſtanding that thoſe Negroes ſhould prove to be of conſiderable Value; and that there are no Goods or Merchandiſes in the Hold, that ſhould come to the King's Share. For, firſt,

The Grant or Privilege of the Captain and his Company, contained in this Article, being as it is by Act of Parliament, his Majeſty muſt not be ſuppoſed to have been ſurprized in it, and conſequently there will be no Pretence to reſtrain or curtail it, as over liberal. It is rather to be extended and interpreted favourably; for all Laws do much favour Soldiers in the Rights and Privileges that are conſequent to the doing of their Duty; and it is peculiar to this Caſe, that this being an Encouragement propoſed to thoſe that ſerve the King, it is intended not only as a Reward to their Induſtry, but alſo as a Compenſation for their extraordinary Hazards.

2. Here are in this Clauſe two Exceptions, which do abundantly ſtrengthen the Rule, in a Caſe (as this is) not excepted. *Firſt*, 'Tis ſaid the Takers ſhall not have any Arms or Stores belonging to the Prize, tho' they ſhould be found upon, or above the Gun-Deck; and 'tis further ſaid, 2. That they ſhall not have any Goods that are found otherwiſe (*i. e.* as I humbly conceive, otherwhere) than upon, or above the Gun-Deck; therefore the Inference is more ſtrong, that they ought to have every Thing elſe, that comes not under either of theſe two Exceptions, and yet come under the Notion of Goods and Merchandiſe, as theſe Negroes do.

3. Had this Prize been never ſo rich in the Hold, and had the Pillage upon, or above the Gun-Deck, been never ſo poor, the Takers muſt nevertheleſs have adventured their Lives and their Limbs (as they did) in the Conflict, and yet they would have had no Pretence from the rich Value of the Prize, for a Compenſation of their Hazards and perſonal Sufferings.

If ſo, I cannot conceive, that a lucky Hit for them, as this is ſuggeſted to be, (whether it be true in Fact or no, does not yet appear by any Proofs) upon, or above the Gun-Deck, does alter their Caſe, any more than if they had taken twice the Value of the Negroes in Gold, in the Captain's Cabbin, without that the Ship had any other Goods or Merchandiſes in the Hold; which Caſe I humbly conceive to be clearly in their Favour, and within the Intendment of this Act. All which I ſubmit, *&c.*

L. Jenkins.

To Sir Thomas Exton.

SIR, *Nimeguen, July* 2. 1675.

I Have yours to acknowlege of the 22*d* of laſt Month, and am ſorry that ſo great a Trouble, as a Seſſions in the Admiralty will bring along with it, is like to fall to your Share, there is nothing I can ſay, but you are fully as much Maſter of already as myſelf; however, ſince you require I ſhould ſay ſomething, I think myſelf obliged to do it.

IN the Charge you are to give the Jury, you will, I doubt not, direct them to enquire into two Things. 1. The Affront given in not ſtriking. 2. The Mayhem.

FOR the firſt, I think if you keep yourſelf to the Words in the Preface of the Indictment to the *Spaniſh* Captain at the *Old Baily*, you will do that which is ſafeſt; for tho' much may be ſaid plauſibly, upon the Subject of ſtriking; yet that Indictment, as nothing has been hitherto ſaid againſt it, that I know of; ſo all the Words in it were very maturely weighed by my Lord Chancellor, and my Lords the Judges, who met for that Purpoſe, and alſo by his Majeſty with the Lords of the Admiralty.

I hint this, that altho' the Ordinance of King *John* be an ancient Record, yet the Uſage of ſtriking is ſo univerſally notorious to all Nations, and hath been ſo conſtant and uniform Time out of Mind, that to bring other Proofs, is to light a Candle to the Sun; beſides, the Words of that Ordinance being accommodated to thoſe Times, may afford a Matter of Cavil in this Age.

YOU ſhould meddle as little with the *French* Ordinances of the Years 1555, 1584; (whereby a Ship that refuſes to ſtrike to *French* Men of War may be fallen upon and made Prize) for beſides, that thoſe Ordinances require ſtriking in all Seas indefinitely, (which is not our Pretence here) the Parliament of thoſe Times have refuſed to verify them; nay, there is a ſolemn Judgment of Parliament againſt them, in the Caſe of a *Hamburgh* Merchant Man, that had refuſed to ſtrike to a *French* Man of War. This you know Mr. *Selden* takes notice of, and is to be found more at large in the *Playdoyez* of Mr. *Servin*. Yet ſomething may be touch'd, not improperly, upon the Orders that the Captain of our Men of War have, to require this Reſpect to the King's Colours; and that an Article of that Effect hath been of ancient Times conſtantly inſerted, in the Inſtructions of all our Commanders of Men of War.

FOR I ſuppoſe, you will not only give them in Charge to enquire, what Foreigners have refuſed to ſtrike, but alſo what Captains of ours, have neglected or omitted to demand that Reſpect; it being made Part of their Duty by expreſs Inſtructions. Here it will not be improper to add two Articles more; the 1*ſt*, To enquire what Merchant Men, or other Ships, belonging to the King's Subjects, have preſumed to approach any of the King's Men of War, without ſtriking at their due Diſtance; this uſed to be heretofore very ſeverely fined, and I am afraid there is Cauſe to make this Enquiry ſtill. The other is, that you give them in Charge, to enquire of Merchant Men, that preſume to wear Colours approaching the King's, or but a little diſguiſed from them: This you'll find in a Proclamation that came out about three Years ago; which Points, I ſay, will be proper to enforce upon our fellow Subjects, at the ſame Time we puniſh Strangers for the Want of Awe and Reſpect.

AS to the Puniſhment, which was that of a Fine and Impriſonment in our Seſſions at the *Old Baily*, it is my humble Opinion you ſhould keep very cloſe to that Precedent. As for the Confiſcation of the Ship and Goods, which you ſay, ſome of my Lords of the Council think a Severity very proper at this Time; I do not know of any Means to come at it, in the Seſſions of the Admiralty; but muſt humbly leave it to my Lords the Judges at Common Law. For tho' the Ordinance of King *John* for *England*, and thoſe I juſt now mentioned for *France*, do make Confiſcation of Ship and Goods, to be Part of the Puniſhment, yet there is no Way of doing it, as I conceive, but in the Civil Court of the Admiralty, by Way of Libel, demanding Judgment and Confiſcation upon the Ships, wherein and whereby ſuch Inſolencies have been committed. The Courſe would be the ſame in any other Caſe; for Inſtance, in carrying prohibited Goods, ſuch as would confiſcate the Ship, where the Judgment remains in the Admiralty, as ſome you know do to this Day, tho' ſuch Judgments, in many Caſes, have been of late transferr'd to other Courts by Act of Parliament. The Reaſon why no Proceedings were had to confiſcate the *Spaniſh* Captain's Ship was, that the Judgment of the Civil Court of Admiralty, if it ſhould have been upon the Libel and Proofs to the confiſcating of the Ship, as a Perquiſite to his Majeſty in Right of Admiralty, ſuch a Judgment the *Spaniard* might have appealed from, (and as it was then feared) got reverſed by Judges Delegates, and then that would have been ſome Reflexion upon the Verdict in the *Old Baily*.

Beſides

Beſides that, his Majeſty was graciouſly inclined to ſhew his Clemency and Mercy towards that Privateer.

If this Courſe of Confiſcating ſhould now be ventured on, you know a Libel muſt be put in, the Records of the Seſſion muſt be given *in ſubſidium probationis*, the Identity of the Ships, as alſo of the Perſons, both acting and ſuffering, muſt be fully made out; and then the Sentence, tho' it ſhould be for the King, muſt, as in all other Civil Caſes, take its Fate; for the Appeal cannot be ſtopp'd, if the Party that thinks himſelf aggrieved is ſo diſpoſed.

That it can be no otherwiſe here is the more evident, for that, as I take it, it is thus in a Matter at Common Law; for tho' a Jury do find that ſuch a Man, convicted of Treaſon or Felony, had Goods or Chattels, Lands or Tenements, at the Time of the Treaſon or Felony committed, yet the King is put to his Remedy in his other Courts of Common Law, for the Recovery of ſuch Goods or Lands, in caſe they be diſputed with him.

For the Mayhem, that the Admiral hath Cogniſance of it, if committed upon the High Seas, is ſo much the more undoubted, as that the Stat. of 15 *Ric.* II. doth not take it away from him, when the Mayhem is committed in the main Streams of great Rivers. Therefore you may give it in Charge to the Jury, to enquire of all Mayhems committed within the Juriſdiction of the Admiralty. If they find the Fact, it is my humble Opinion, that as to the Form of the Indictment, the Verdict, and whole Manner of Proceedings, it ought to be the very ſame as if the Indictment were preferr'd at the *King's-Bench*, for a Mayhem committed within the Body of the County of *Middleſex*; but I doubt not, but ſome of my Lords the Judges will be aſſiſting upon ſo important an Occaſion. I believe Mr. *Bedford*, the Deputy Regiſter, has ſome Notes of what I delivered at a former Seſſion, for I do not find them among my Papers here. If they will be of any Service to you, you may command them, for the ſparing you the Trouble in gathering together the many Heads that are to be given in Charge at an Admiralty Seſſions. For I uſe to run over the moſt of them, becauſe I would have the Jury and Aſſiſtants (Sea-faring Men eſpecially) a little acquainted with thoſe Things which are within the Juriſdiction of the Admiralty; and I always thought thoſe criminal Seſſions (if I rightly underſtand them) were of great Concern and Support to the old *Engliſh* Diſcipline at Sea, and to the Good of Navigation and Commerce in general: But that need not be any Rule to you, nor to hinder you to limit your ſelf to the Matter that ſhall be afforded you from your Kalendar. I am, *&c.*

L. Jenkins.

To Sam. Pepis, *Eſq*; *Secretary to the Lords Commiſſioners of the Admiralty.*

Sir, *Nimeguen, Aug.* 2. 1677.

I Have not Words to expreſs the deep Senſe I have, of that infinite Princely Goodneſs wherewith his Royal Highneſs deſcends ſo low as to take Notice of me, even at this Diſtance, and to be willing to hear what I may have to ſay, in a Concern of the Court of Admiralty, where I have the Honour to ſerve. What I ſhall deſire to lay (by your Favour) at his Royal Highneſs's Feet, ſhall be with a perfect Regard to the Faithfulneſs and Duty I owe him in thoſe Things he is pleaſed to command me in, without any End or Intereſt of my own.

The Caſe it ſeems is this: There is a Gentleman, who is Suitor to his Majeſty for the Reverſion of Mr. *Gee*'s Place (who is Regiſter of the Court of Admiralty); I muſt ſuppoſe, that if this Gentleman obtain the Place, and live to enjoy it, he intends to execute it not by himſelf, but by a Deputy; and it is my humble Opinion, that it is abſolutely for his Majeſty's Service, that this Place be given to no other Perſon but to ſuch as is capable of executing it himſelf.

My chief Reaſon is, that the Perquiſites of the Place, (*communibus annis*) and in Times of Peace, are not more than what is requiſite to maintain a Perſon of that Ability and Garb the Place requires. The true Value of the Place will be ſoon known from Mr. *Gee* and others. What Maintenance is fitting for the Support of an ingenious Man in it, will be beſt judged of by the Competences that paſs for ſuch in other liberal Profeſſions; only it is to be obſerved, that a meer *Routine* and common Experience, will not do the Buſineſs of a Regiſter of the Admiralty, as it doth in other Poſts not unlike it. A Man muſt in this Place have a Stock of Civil Law, and endeavour to increaſe it, by ſearching into the Style and Practice of Maritime Courts beyond the Seas (which alters and varies conſiderably in a few Years); and he muſt be skilled in the Neighbour Languages, *French* and *Dutch* at leaſt;

(other-

(otherwiſe he muſt make Uſe of a Deputy, in taking the Depoſitions of Foreigners, which hath many great Inconveniencies in it) theſe Mr. *Bedford* hath perfectly, having ſojourned Abroad a conſiderable Time in Foreign Parts, in order to acquire them. Beſides, he that executes this Place, ſhould be maintained by it, for the due Execution of it requires the whole Man; he that is forced to divide himſelf between that and another Poſt, will do wrong to one of them, and moſt probably to both; and tho' he may devolve much of the Toil, and ſome Part of the Attendance, upon his Clerks; yet to do well, he muſt be at one End of moſt Buſineſs himſelf.

Another Thing is, that this Court is one of the King's Courts of Juſtice, where Foreigners almoſt of all Nations are Suitors; and 'tis for the Reputation of the Government, that ſuch a Truſt be committed to a Perſon that is to be reſponſible in his own Right; and to one that will have a Concern that nothing of Male-Adminiſtration, either through Ignorance or Corruption, be charged upon him. For Miſcarriages in this Poſt, have ſometimes come at laſt to Publick Sharpneſs and Reſentments between our and other Neighbouring Nations.

Besides, the Suitors in this Court are generally very miſerable People, ſhipwrack'd undone Perſons, poor Priſoners in Goal, ſome for Debt, others for Crimes; and where the Judge and Regiſter are driven not only out of Neceſſity to forgive their Dues, but out of Charity too, (I ſpeak as to Priſoners) to be at Charge to keep thoſe that are to anſwer in Juſtice from ſtarving in the mean while. This a Regiſter cannot do when he acts in another's Right; he cannot forgive what is another Man's Due: So he muſt have infinite Wranglings with the pooreſt of People, or elſe be liable to the Exceptions of his Principal in the paſſing of his Accounts.

Your ſelf, Sir, can bear Witneſs, how often the Juriſdiction of this Court has been attack'd by Suits at Common Law; and that our Seſſions of the Admiralty are frequent and very chargeable. Mr. *Bedford* hath ever ſince his coming laid out the Expences neceſſary in theſe Caſes; if Hands ſhould be changed, who would lay out this Money? Or whether another Patentee will be as tractable as Mr. *Gee* is, to bear his Share in theſe Burthens? If he be not, the Judge cannot compel him to it.

Mr. *Gee*'s executing the Place by Deputy, is the only Inſtance that can be ſhewn; the contrary, of the Patentee's executing the Place by himſelf, is evident from the moſt ancient Records. What Security, if this Courſe of putting in Strangers to the Profeſſion, be enter'd upon, that thoſe that ſucceed Mr. *Gee*, will be ſo fair, ingenious, liberal, and regardful to the due Execution of the Place as he is? And if they be not, what will become of this Office, and the Judicature it relates to?

In a Word, Sir, I do not think it can be made out, that at any Time there is any Inſtance or *Conſtat*, that the Place hath been better diſcharged, than it is at this Time by Mr. *Bedford*; and if he ſhould be diſcharged, I do not know how we ſhall ever do ſo well. Yet I do not plead for him, my Concern is only for his Majeſty's Court of Juſtice, that it be ſerved in the beſt Manner poſſible; and that thoſe that come to be entruſted in it, may not, by the Miſeries of a narrow pinching Allowance, be expoſed to the Temptations of being corrupt, ſordid, or uningenuous, in the Diſcharge of their Truſt.

These are my poor Reflexions upon the Matter, but how much, or if any Part of them, may be proper to be laid before his Royal Highneſs, I ſubmit perfectly to your Judgment; begging you not to forget to lay me the loweſt poſſible at his Royal Highneſs's Feet, when you happen to entertain him upon this Subject; and that you will alſo be pleaſed to believe, that I am with much Sincerity, *&c.*

L. Jenkins.

To one of the Lords of the Committee of Grievances.

My Lord, *Nimeguen, March* 12. 167$\frac{6}{7}$.

I Should think it an Unhappineſs, that I am not able, at this Diſtance, to come at the Acts of the Prerogative Court, nor at the Proofs and Exhibits that lay before me, in granting of Adminiſtration of the perſonal Eſtate of one *Revel* a Baſtard; but as my Defence, as to any Matter of Grievance charged againſt me, muſt ariſe from what ſhall be found in the Regiſtry of that Court, and from what the Council concerned in that Cauſe, and the whole Audience may remember of my Proceedings, I am not in the leaſt concerned, let any of them ſpeak againſt me if they can. It will, I doubt not, appear from the Acts of Court, that the Cauſe did not depend long there, that it met with no Stop or Delay on my Part; and if there was any Motion for Hearing or Diſpatch made, (which I do not remember) it was readily aſſented to, and Proceedings aſſigned accordingly.

It was always an eſtabliſhed Rule with me, *Nulli negare nec deferre juſtitiam*; and ever ſince I have had the Honour to preſide in that Court, have endeavoured, by proper Rules, as far as in me lay, and as I found neceſſary, to reſtrain all Pretences and Cauſes of unjuſt Delays: And in this Cauſe, I heard all the Matter of Fact, which was very long, in one Day, and appointed another in the ſame Term to hear Council on ſeveral Points of Law ariſing out of that Fact, and heard ſeveral very able Perſons at Common Law, as well as thoſe of my own Profeſſion, before I gave Judgment.

I call God to Witneſs, that I never received any Letters, Meſſage, or Word, from the King's Majeſty, nor from any of his Miniſters or Servants, nor from any other Perſon whatſoever, tending directly or indirectly to favour the King's Title, or to influence the Proceedings, or the Judgment to be given upon it. Nor did the King's Aſſignee himſelf (Mr. *Killegrew*) nor any other in his Behalf, once offer to ſpeak to me at any Time, or any otherwhere than in open Court, about it; and this I am ready to make Oath of.

That as there was a Patent exhibited by Mr. *Killegrew*, as Aſſignee from the King, of this Baſtard's whole Eſtate (Real and Perſonal), ſo there was a particular Warrant (under his Majeſty's Sign Manual and Privy Signet) touching his Perſonal Eſtate, Part of which Warrant was a kind of Direction to the Judge of the Court, and Part to the King's Council, who were to proſecute his Title. This Clauſe, as it was drawn, *directing* the Judge to commit Adminiſtration, I was at firſt View unſatisfied with, and did therefore lay before the Council what Objection and Scruple I had upon that Clauſe which concerned the Judge. But after that Clauſe had been fully debated, it appeared to me, 1. That there is no other Way, when the King has Right of Adminiſtration, but to commit it to a Perſon, againſt whom Actions may be brought, and who muſt take the uſual Oath, and anſwer the Law, as a Perſon ſucceeding in *auter droit* ought to do. And, 2. That by the Courſe of that Court, the King was by his Warrant to nominate and appoint a Perſon capable, to whom Adminiſtration was to be committed in the King's Right; whereupon I proceeded to Sentence, and decreed Adminiſtration to Mr. *Killegrew*, the King's Aſſignee named in that Warrant.

It was perfectly my Judgment then, and 'tis ſo ſtill, that this Adminiſtration did by the Law of *England* belong of Right to the King's Majeſty, and that I was by the Courſe of the Court, to commit it to that Perſon the King had nominated and appointed by his Warrant, ſince there was no Exception taken as to his Perſon, and that I could not do otherwiſe without Injuſtice. If I was miſtaken in my Judgment, the Law hath provided how my Error is to be corrected, that is, by Appeal. But as to any Grievance given, Delay uſed, any Partiality or Favour ſhewn to the King's Intereſt, or to his Aſſignee, I am not in the leaſt conſcious to my ſelf, nor will it ever be made out by due Proof againſt me, before the Honourable Committee of Grievances, to whoſe Wiſdom and Juſtice I perfectly ſubmit. This is all that at preſent occurs to my Memory concerning the Adminiſtration of *Revel*, and am, *&c.*

L. Jenkins.

Sir, *Paris, June* 20. 1670.

I Beg you will go to Sir *L. Jenkins*, to inform your ſelf for me, what he thinks the Law is in this Caſe, and at this Day, Whether if any *French* Merchant or Factor dying, his moveable Eſtate be confiſcated to the King, as they here pretend to Dame *à Guerney*'s Factor's Goods, by the *Droit d'Aubaine*, altho' by all our Treaties the *French* King diſpenſeth with that Right, upon the like Reciprocal to his Subjects dying in *England*.

Joſ. Williamſon.

Sir,

After my humble Service and Reſpects to Sir *Joſeph Williamſon*, you may, if you pleaſe, inform him, that I do humbly conceive, that the Kings of *England* have never pretended, either by their Prerogative Royal, or by any other Title, (ſuch as the *French Droit d'Aubaine* is) to a Right of ſucceeding Merchant Strangers, or their Factors dying here, and being Subjects of Princes or States in Amity with this Crown, in their Goods, Debts, or moveable Eſtate, to the Prejudice of the Wife, Children, or next of Kin, appearing and claiming ſuch Succeſſions. The ancient Statutes and Ordinances of our Kings, ſuch as *Magna Charta*, *Charta Mercatoria*, *Statutes of the Staple*, &c. have declared ſuch Merchants, and their Goods, to be under the ſpecial Protection and ſafe Conduct of the King; and the Courſe of our Laws, allows ſuch Perſons in all Things the ſame Property and Liberty in diſpoſing of their perſonal Eſtates, and the ſame Remedies and Advantages in their perſonal Actions, as the King's Leige Subjects,

Subjects have. These Privileges ascertained by our Law, do in their own Nature, as well as in the Construction and Practice of all Nations, necessarily imply all Freedom of exporting what a Merchant, being dead, leaves behind him; nor is it to be imagined, that he hath accepted of our safe Conduct, bestowed his Labours, and gather'd an Estate here, and at the same Time know, that all is to be pillaged by Law, if he die before he can transport himself and his Estate out of the Country. Sure I am, that when any Merchant Strangers happen to die Intestate, within the Province of *Canterbury*, their Successions are of Course committed by the Judge of the Prerogative, to the Wife or next of Kin (tho' a Foreigner) appearing and making out their Title. And when a *Venetian* Jeweller died here about 40 Years ago, with the Value of about 12000 *l.* in Jewels, tho' Administration was granted to a great Officer of State, in Right of the King, no Wife, Kindred, or Creditor appearing, yet that Administration was revoked and given to those, that should have succeeded him *ab intestato* in his own Country, as soon as they show'd themselves, and made out their Interest; so if such Merchants do make their Testament, and appoint Executors, those Executors, tho' Foreigners, have the *Probat* and Administration of the Testators moveable Estates committed to them in the Prerogative Court, in the same Form as *Englishmen* have. The *French*, tho' they endeavour to draw in several of the Neighbour Nations, most especially the *English*, to be their *Aubains*, that is, *Gens sans aveu*, when they die among them in the Quality of Soldiers, Scholars, Travellers, *&c.* yet they have no Colour to subject our Merchants to that Law, tho' we had no Treaty in our Behalf. For *Lewis* XI. *Ordinance de l'année* 1463. *Art.* 9. *permit à tous Merchands Estrangers de tester & ordonner de leur biens, ainssi que bon leur sembleroit, & que leur testament & ordinance sorteroit son plein effect, comme s'il eust este fait & ordonne au Lieuse, dont ils seroit natifs.* Their Exchequers and Parliaments have so decided it in the Case of *Jean Hanon, Merchand demeurant à Namur & decedé à* Paris, *sentence & Arrest fut done, que le droit d'Aubaine n'a lieu quant à merchands Trafficons en* France, 24 Dec. 1578. the other 19 *April*, 1584. Nor do I find that the Case of Merchants Strangers, I say Merchants, not other Strangers, hath come into any Dispute or Difficulty these latter Years. These Instances I do the rather mention, because the Privilege of Merchants against the *Droit d'Aubaine*, is expresly said to be allow'd, not in Regard of any Treaty, but of the Reciproque found to be the Practice at *Namur* and *Antwerp*; besides, if my Memory fail me not very much, I have seen an Arrest *du Conseil*, whereby *main-levée* was ordered in the Goods of one Mr. *Carey*, a Merchant residing at *Bourdeaux*, who died about the Year 1661, obtained in the Embassy of my Lord St. *Alban*.

L. Jenkins.

To Sir William Temple *at the* Hague, *from* Nimeguen.

My Lord,

TO the Question you was pleased to send me about the three *Scotchmen*, and the Objection of the States to your Memorial, that after a Sentence of Banishment, the Allegiance of a Subject is extinguished; I have this with Submission to offer, that there are several Things in the Practice of Nations, (which is the Law in the Question) that makes it impossible for Subjects, in my poor Opinion, to renounce or divest themselves of the Allegiance they were born under.

For Instance, no Subject of our Master's, (we'll put the Case at Home) can by the Law go out of his Dominions without his Leave; nor is this Leave, whether it be expressed, or by Implication, (as in the Case of Merchants and Sea-faring Men) granted, but there is a Time always supposed for his Return; I mean, when the King had Need of his Service; and in the Case of every Man of Quality it is always prefixed: Besides, there is no doubt, and we see it is a frequent Practice in *England*, *France*, &c. to call back the Subjects from Foreign Services and Residences within a Time prefix'd, and that upon Pain of Death; in which Case, if they return not, the Pain is well executed upon them, (provided they lie not under any Impediment) if they afterwards fall into the Hands of their Master: And I think the Court of Constable and Marshal in *England*, would be the proper Judicature in such a Case.

2. Tho' my Prince should give his Leave to settle myself, for Instance, in *Sweden*, and that I should purchase and have Land given me in *Sweden*, upon Condition, and by the Tenure of following that King in his Wars; if my King should afterwards have a War with *Sweden*, that King cannot command me to follow him against my natural and original Master. The Reason of it is, he cannot command me to expose myself more than his own natural born Subjects do; which yet would be my Case,

if

if I ſhould appear with him in the Field againſt my natural Liege Lord; into whoſe Hands, if I ſhould happen to fall alive, he would have a Right to puniſh me as a Traitor and a Rebel, and put me to the Torture and Ignominy of his Laws at Home, which he cannot pretend to do when he takes thoſe that are not his born Subjects, nor inflict any Thing upon them but what is agreeable to the Permiſſions of War.

3. NAY, which is more, in the Caſe of Repriſals, if I live in *Sweden* a Burgher, Officer, or what you pleaſe, and a *Dane* for inſtance hath Letters of Repriſals againſt the *Engliſh* Nation; if my Goods fall into the *Danes* Hands, they are lawful Prize, tho' I be never ſo much habituated in *Sweden*; unleſs it proves, that I am ſo tranſplanted thither *cum pannis*, that I have neither Goods, nor expect them in *England*, and have reſolved never to return thither; which is an Exception that ſome learned Men allow of, but not all; theſe Things ſhew, that the Quality of a natural born Subject, is tied with ſuch indiſſoluble Bonds upon every Man, that he cannot untie all by any Means. I am, *&c.*

L. Jenkins.

SIR,

May 19. 1675.

IN Obedience to that Command which I had the Honour to receive from you yeſterday, I have applied my Thoughts to the Queſtion you were pleaſed to put to me, touching the inter-marrying of a Youth of Nine, with a Girl of Eight Years old, *viz.* Whether ſuch a Marriage will be good in Law, or not? It is a kind of a Contract, which the Laws of the Church do rather tolerate than approve of; becauſe it is voidable by both, or either of the Parties, when they come to Years of Conſent. This Contract (for be the Words whatever you can imagine, SIR, it amounts to no more) is entered into, either *per verba depræſenti*, ſuch as thoſe in the Office of our Church for Marriage; or *per verba de futuro*, ſuch as may be put into the Mouth of the Parties by their Parents, or any that would inſtruct them to promiſe Marriage to each other in apt Words; but both the one and the other, as to the inducing of any Obligation upon the Parties, do depend upon the Ratification they ſhall make by the evidencing of their Conſent when they are come to Age, *viz.* the Youth to Fourteen, the Girl to Twelve. It is in my poor Opinion, if ſuch a Contract be to be celebrated, more reaſonable, that the *verba de præſenti* be uſed in joining them together; for it will then have more the Figure of a Marriage than the *Sponſalia per verba de futuro* will have, and that in the Eye of the Common Law of *England*; which, if I miſtake not, gives Dower to a Wife at Nine Years old. But of this Point, I beg you, SIR, to inform your ſelf of ſome able Common Lawyer; not that it will be any Part of this Caſe, for I ſuppoſe that antecedent Settlements will take away all that Queſtion; but that it will be ſome Satisfaction to a Parent concerned, to find that the Law of *England* takes Notice of ſuch a Contract, as having in it ſome civil Effects of a Marriage. SIR, There is no Man alive that hath a more perfect Devotion for your Perſon, nor a heartier Concern for your Family, than I have; and 'tis that makes me cloſe this Scribble with an humble Suit, that all Precaution and Care poſſible may be taken, that the Children do not, upon any Accident, fall into Hands that may bring them into a Diſlike of what they ſhall have done, or labour to poſſeſs them with any ill-natured Impreſſions. I am, *&c.*

L. Jenkins.

To Mr. Secretary Williamſon.

SIR,

Nimeguen, April 3. 1675.

IF I might preſume to offer any Thing in the *Oſtend* Men of Wars Caſe, it ſhould be under Correction, to put a Stop to the Order for Arreſting them in our Ports, till his Majeſty have an Account from *Bruxels*, what Proceſs Verbal, or Narrative of this Fact, hath been ſent from *Oſtend* to that Court. *Matthews* the Merchant, that hath ſworn before me fulleſt, and moſt diſtinctly to the Diſtance, deſired to limit himſelf in his Depoſition (whereof I ſend you an Abſtract) to the *Porte* of thoſe Guns that were then mounted on the Walls of *Oſtend*; ſaying at the ſame Time, (tho' it was not thought neceſſary to be ſet down) that he hath known Guns that did carry much further than from the Walls to the Men of War. This firſt refuſing will, I ſuppoſe, prove to be a Moot-Point; and I muſt confeſs I am hitherto to look for Law or Uſage in the *Flandrian* Ports, to ſupport our Demand within their Guns; the Refuſal upon the ſecond Rencounter, and the ſhooting off a Gun into us, is of another Nature, and to be well compared with what Mr. Vice Chamberlain remembers, of their ſtriking to us about 40 Years ago upon that Coaſt. However,

the Inſolency of *Berelott*, and of his Men, are of a different Nature, and 'tis poſſible his Majeſty will better find his Account, in beginning to vindicate his Right by a Complaint of the laſt Refuſal, and the ſhooting at *Bruxels*, than in adventuring ſuch Queſtions too often upon a Jury: But this is my private Reflexion.

But I ſee your Embarraſs hath been much greater about our *Scotch* Privateers: The Truth is, I am much ſcandalized at them in a Time of War; they are in my poor Judgment great Inſtruments to irritate the King's Friends, to undo his Subjects, and none at all to profit upon the Enemy: But it will not be remedied: The Privateers in our Wars are like the *Mathematici* in old *Rome*, a Sort of People that will be always found Fault with, but ſtill made Uſe of: I may venture to ſay the ſame upon your Queſtion, which is the proper Place of judging theſe *Scots*, that it will often fall out, but it will be never decided; becauſe there is no third Power that can give a Law that ſhall be deciſive or binding between two independent Princes, unleſs themſelves ſhall pleaſe to do it (which ſeldom happens) and then cannot be extended beyond the Caſes expreſſed by that Treaty. His Majeſty had, when I came from Home, a Controverſy with *France*, in a Caſe not much unlike yours: A *French* Merchant-Man had gone out from *Rochel* to the *Weſt-Indies*, and had committed many Robberies and great Cruelties upon thoſe of his Crew in the Voyage; he, in his Return, put in at *Kinſale* for Refreſhment, his Company accuſe him, he flies, his Ship and Goods are confiſcated, as the Goods of Pirates: This Sentence was oppoſed by the *French* Ambaſſador M. *Colbert*, and the Cauſe deſired to be remanded to the natural Judge (as was pretended) in *France*. This produced ſeveral Memorials, and ſeveral Anſwers, in which my little Service was commanded; and the King and his Council were pleaſed to adjudge, he was ſufficiently founded in Point of Juriſdiction, to confiſcate that Ship and Goods, and to Try capitally the Perſon himſelf, had he been in hold; the Matter of Renvoy being a Thing quite diſuſed among Princes; and as every Man, by the Uſage of our *European* Nations, is juſticiable in the Place where the Crime is committed; ſo are Pyrates, being reputed out of the Protection of all Laws and Privileges, and to be tried in what Ports ſoever they are taken.

But as the Law diſtinguiſhes between a Pirate who is a Highwayman, and ſets up for Robbing, either having no Commiſſion at all, or elſe hath two or three, and a lawful Man of War that exceeds his Commiſſion; ſo I think, Sir, you had Right to interpoſe for theſe *Scots*, as you do very rationally and inforcingly by your two Memorials; and it was a very good Caution you uſed, in not charging your ſelf with other Reaſons than our Maſter's Commands; as alſo in making Uſe of the Word *pretenduz* in your ſecond Memorial; for that King's Anſwer lays hold of the Conceſſion you ſeemed to make in your firſt; for tho' the Crimes were great and notorious, yet the Proceedings whereby they were laid open and proved to be ſuch, being void and null, if the Judges did (as I am of Opinion they did) exceed the Bounds of their Power, it may be truly ſaid, the Crimes are but *pretendus*, being the Proofs made of them are not *ſufficient* in Law.

In order to evidence that theſe Judges did exceed their Bounds, as to the Condemnation to Death in their Sentence, and it may be as to the Confiſcation too; it may be asked them, 1. Whether the 35*th* Article of their Treaty, for determining the Manner of proceeding to Reparations of Damages, do not leave the criminal Part to each Prince? And the rather, for that ſuch Abuſes and Exceſſes, abſtracted from the Damages and Affronts they give, are ſolely againſt the Prince that gives the Commiſſion, and conſequently puniſhable by him only as Tranſgreſſions from his Rule, and Aberrations from his Service? 2. It muſt indeed be granted, that theſe Ships, if they belong ſolely to thoſe *Scots*, and our Maſter had declared their Commiſſion void or forfeited, for which Application ought to have been made to him, had been well adjudged to be ſold, in order to repair the Damages of ſuch as ſuffered by them: But it may be asked, whether Foreigners are not to look upon them as the King's Ships, while they ſail by his Commiſſion unrevoked; and are bound to follow the Order of his Commanders, as fully as any that are reputed the King's own Men of War; and tho' they have no regular Pay, yet they have advantageous Conditions, which are *tant-amount* to ready Money, *&c.* When our Maſter hires Merchant Ships, or preſſes them out of the *Thames*, they are, while in his Service, to be reputed his, as much as thoſe of his own Building; and no Man can lay any Action of Debt upon them, tho' the Owner have ſpecially hypothecated them to his juſt Creditor. Therefore it may be a Queſtion, whether, if it does not appear to thoſe Judges, that the ſole Right and Property of thoſe Ships was in thoſe *Scots*, the confiſcating of them was not a diſarming the King's Servants in a proper Courſe againſt the Enemy: I mean taking the King's Weapons out of their Hands *pro tanto*:

It

It may be added by way of Suppoſal, without any great Abſurdity, that one or two, nay, ſix or ten of the King's own Men of War, might have committed ſuch Miſtakes, nay, Exceſſes, or Crimes, call it what you will, would the *Danes* in ſuch Caſes confiſcate the King's Ships? Will they hang the King's Commiſſion Officers? *Magis & minus non mutant ſpeciem.* I fear ſuch Proceedings and ſuch Juſtice would quickly lead to Repriſals, and after that to a War.

To add one Word more among the many of Ignorance I fear I am guilty of in theſe Lines, I muſt account for that of having read little of the Law of *Denmark*, which I am told they are very happy in, that it is not voluminous; when it pleaſe GOD I may wait on you in *England*, SIR, I hope to have that Advantage of ſeeing it, among many other that I promiſe my ſelf, from the Happineſs of waiting on you: The Thing that I would ask is, whether there be any Law, among your written or unwritten, (Common or Statute Law, as we ſay) and *in viridi obſervantia* too, for that muſt be the Rule whereby ſuch Violation as that upon their Port, or ſuch an Attempt as that within the Height of their Caſtle, is made puniſhable with natural Death; and if there be not, is there any Court or Judges among them, that can imagine Death, which is *ultimum ſupplicium*, can be inflicted arbitrarily, without the expreſs and poſitive Letter of a Law, or an immemorial, indiſputable Cuſtom to direct and warrant it? If there be ſuch Laws, they are the only Nation that I know of that can glory in ſuch Rigours; and if there be not, they are the only Judges (except it be the *Muſcovite*, or ſome others Frontier to the *Turk*) that will inflict Death where the Law is either ſilent in the Caſe, or leaves it to an arbitrary Puniſhment: SIR, I beg you'll pardon me for this long Scribble: Your Demand was, that I ſhou'd give you my little Reflexions upon the whole Matter; had you confined me, I ſhould have been more brief. I muſt not forget however to ſubſcribe, as I do, to Sir *Robert Wiſeman*'s Opinion, it is ſolid and well digeſted, againſt putting the Party to Death, and much may be ſaid, tho' not ſo much againſt the Confiſcation. I am, *&c.*

L. Jenkins.

My moſt Honoured Lord,

I Am much in the ſame Caſe with that old Philoſopher, who the more Time he had allowed him to deliberate upon a hard Queſtion, the more ſtill he craved; ſo the more I conſider your Lordſhip's Queſtion in my own Thoughts, and the more I debate it with others, (which I have done, tho' always with a Diſguiſe of the Perſons) the leſs clear, and the more heſitating I find my ſelf when I come to form a Reſolution.

HOWEVER, MY LORD, I will humbly take Leave to lay before you, the Sum of what I have to ſay upon your Lordſhip's Queſtion, (ſo full of Honour and Conſcience) in the few Periods following.

IF the Eſtate, touching which the Enquiry is, were of my Lady your Daughter's own Acquiſition, ſhe were, I doubt not, entirely free to follow her own Inclinations in diſpoſing of it, without any Obligation to regard either the whole or the half Blood, further or otherwiſe than the Rules and Meaſures of natural Affection and Prudence ſhould dictate to her. But this Eſtate coming to my Lady by Deſcent, as well as by Deviſe, it is obvious to the Enquiry of every conſidering Perſon, whether there be not in this Caſe ſome ſpecial Regard to be had, partly to the Laws of the Country in Points of Deſcents, and partly to the Intent of the Anceſtor that acquired, and of thoſe ſince that preſerved and tranſmitted the Eſtate to her.

THAT there is ſome ſuch Regard to be had, ſeems to me to be clearly evinced, in that my Lady (and ſo every Perſon in *England* in her Ladyſhip's Caſe) might have formed to her ſelf a Pretenſion, and an Expectance in Equity (while my Lord her Uncle was living, ſince he had no Children of his own) upon the Eſtate, and that all the World would have allowed of her Expectation as reaſonable, if not upon a perſonal Tenderneſs that the Uncle might have for the Neice, yet upon the common Regard which Men uſually have, or are preſumed to have, in making their laſt Settlements, to the Law of Deſcents, and to the Intent of their common Anceſtors. Now whatever Equity my Lady ſeems to have had upon my Lord the laſt Duke, the Ladies her Aunts ſeem to have (the ſame Circumſtances happening) upon her Ladyſhip.

NOR is it unreaſonable that a Regard in theſe Caſes ſhould be due to Deſcents; the Law, I mean, and the common Courſe of Deſcents, point out to every Man his Heir; but with a Liberty in his Life-time (if there be not Incumbrances antecedent) to order otherwiſe: If the Eſtate be of a Man's own acquiring, then the Law points out that Perſon, whom the Acquirer is preſumed to have loved beſt; that is, the Perſon neareſt in Blood to himſelf. For to whom would any Man wiſh the Enjoy-

ments of the Fruits of his Labour, but to his neareſt in Blood? But if an Eſtate comes to a Perſon by Deſcent, then the Law points not out him, that the laſt in Poſſeſſion ſhall be preſumed (if he have no Children of his own) to have loved beſt, but it points out one that ſhall be preſumed to have been beſt beloved (I mean moſt reſpected) by the Anceſtor, the Founder of the Eſtate; for this Founder is ſuppoſed in his Acquiſitions to have had all his Deſcendants in his Eye, and to have intended that each of them ſhould, in his Turn, according to the Courſe of Succeſſion, partake of his Care and Proviſions; nay, to leave it as a Burthen upon his Heirs ſucceſſively, to paſs his Eſtate from Hand to Hand in his Blood, (even where there is no Entail, and before there was any ſuch Invention) according to the Courſe of Deſcents.

'Tis true, this Burthen is not tied upon any, (where there is no Entail) otherwiſe than with the Ties of a grateful Reſpect to the Intent and Deſignation of that Anceſtor, upon whoſe Proviſions I now live comfortably; yet this Tye ſeems tacitly to reſolve it ſelf into that great Rule of doing as I would be done by, in caſe I were now leaving an Eſtate behind me to the Diſpoſal of my own Deſcendants: So that that Law, which hath already (as it were) made my Lady's Will, and her Deviſe of this Eſtate, (in caſe ſhe leaves no Children of her Body, or do not otherwiſe order it in Favour of my Ladies her Aunts) ſeems tacitly to adviſe, that my Lady ſhould not vary from that Law, but upon ſufficient Reaſons and Motives, and ſuch doubtleſs there may be in her Ladyſhip's Circumſtances.

What Reaſons and Motives in my Lady's Circumſtances ſhall be ſufficient, ſo that ſhe may alienate this Eſtate from her right Heirs, with Satisfaction to her ſelf, and without juſt Diſſatisfaction to others, is the Hinge upon which this whole Queſtion ſeems to turn; and here if my Lady, out of her Regard to the Intent of the Anceſtor, ſhould reſolve not to alienate, but upon ſuch Reaſons and Motives as ſhe might be ſure (as far as we can be in Matters of mere Conjecture) of his Sentiments and Concurrence of her Side; 'tis my humble Opinion, that ſhe might believe her ſelf to be at perfect Liberty to do it irrevocable.

1. In Favour of a Husband, where ſhe judged his Worth and Affection to deſerve it.

2. In caſe of her own, or of any Anceſtor's Debt, that could not be ſatisfied but by making away of this Eſtate from the Family.

3. In Favour of Religion and pious Uſes.

4. In caſe the right Heir ſhould prove extreamly unworthy, then to deviſe it to one further off.

In theſe Caſes, it may be preſumed, that a pious, juſt, and generous Anceſtor would have no Regret, to ſee his Eſtate given or gone away from his Blood, ſince no Man can promiſe himſelf a Perpetuity unalterable in theſe Matters. But in caſe of preferring the half Blood (which is a Stranger to this Anceſtor, before the whole Blood) which is (as I ſaid before) next in his Eye and Deſignation, eſpecially when he in the half Blood cannot pretend that he more wants this Eſtate in his Rank and Figure, than they of the whole Blood do in theirs; the Conjectures of moſt Men, to my Thinking, would be, that the Approbation of the Anceſtor were not to be gained ſo readily as in the Caſes foregoing. Here it may be objected as a hard Thing, that Imaginations and Conjectures ſhould be laid as Reſtraints upon my Lady, where all Laws divine and humane do leave her to her Liberty; eſpecially when her Alienations would be no other, and to no other End, but firſt to expreſs the Affections of a loving Siſter to a moſt deſerving Brother. 2. To leave Marks of her Reſpect and Thankfulneſs in that Family, where ſhe had ſo good an Education and Maintenance all her Life-time.

To this 'tis obvious to make a Reply out of the Difference firſt laid down: In Lands or Goods of my Lady's own Acquiſition, nay, in the Marriage Portion ſhe has from her Father's Houſe, there is no Pretence of reſtraining or limiting her Affections to the half Blood; but the Queſtion is, concerning an Inheritance, wherein the Law of Deſcents, and the Meaning of the firſt Founder, ſeems to challenge a Preference of the whole Blood, notwithſtanding there be a Brother in the Caſe.

As for the Marks of Thankfulneſs to the Family for my Lady's Education and Maintenance, which may make a weighty Conſideration with her, all this ought to be caſt up and valued by the Eſtimate of good and prudent Men; and the Amount of it ought, as I humbly conceive, to be looked upon by my Lady as a juſt Debt to be charged upon, and to be made good out of this Eſtate, if there be no other to bear and anſwer it; for this is ſo much the more a juſt Debt upon my Lady, as it may be a Diminution to their Portion, (tho' I know your Lordſhip does not heed, much leſs value what goes upon that Account) whom my Lady hath moſt Reaſon to love beſt in the whole World.

This Liberty I cannot imagine the Anceſtor would grudge to my Lady, ſo as to charge this Eſtate, or to alienate any Part of it, to compenſate ſuch a Debt; no, nor yet if her Ladyſhip went further, in order to leave a becoming Monument of her Affection to thoſe ſhe loves beſt, if ſhe have not a Fortune to come to her another Way to do it withal; it being but congruous to Reaſon, and the Courſe of the World, that great Perſons be at Liberty to leave ſuch Evidences behind them, as may let Poſterity take Notice they have been in the World, and have loved and honoured their Relations as became them; nay, it would be extreamly inconvenient, as well as indecent, that my Lady ſhould not find her ſelf at perfect Liberty in this Caſe.

This, My Lord, is my humble Reflexion upon the whole Matter, having choſen to lean to the ſeverer Side, both becauſe it was your Lordſhip's Command to me, that I ſhould be ſure not to regard any Intereſt or Concern that your Lordſhip's Family may have in this Caſe; and alſo becauſe I take it to be ſafeſt, for any that ſhall have Cauſe to adviſe my Lady your Daughter (as my Lady Marchioneſs and your Lordſhip may poſſibly have) in any Settlement or Diſpoſal that ſhe may think of making in Contemplation of her Friends. For 'tis my humble Opinion, that their Caſe, who adviſe and perſwade in this Point, is ſuch, that they will do beſt if they lay before my Lady all that they are convinced of, of the Regard due to the Law of Deſcents, and the Deſignation of Anceſtors; whereas my Lady your Daughter hath a Liberty veſted in her, that does not conſiſt in a Mathematical Point; and ſhe may compenſate her Debt (for ſo I reckon the Value of her Maintenance to your Lordſhip's Family) by the Meaſures of a generous and noble Soul; and not by Grains and Scruples, as if ſhe had no Liberty left in an Eſtate, which the Law of the Land determined to be entirely her own.

I do therefore humbly offer it, (but it is with all the Submiſſion imaginable to your Lordſhip) that my Lady may pleaſe, having aſſigned ſome Portion of what is deſcended upon her to Almighty God, to divide this Eſtate into two Parts, (I do not mean two exact equal Parts) that with the one ſhe would do Juſtice, in leaving a full Return to your Lordſhip's Family, for all that ſhe owes for her Education and Maintenance, in a noble way of Gratuity, not Compenſation, adding honourable Marks of her Siſterly Affection to thoſe noble Relations at Home, in proportion to their Endearments and her Generoſity; and that with the other Part, (I mean the Reſidue, whatever it be) ſhe would pleaſe to gratifie her right Heirs, in leaving it to deſcend upon them, as it did upon her Ladyſhip.

Against this, My Lord, I cannot imagine the ſtricteſt Caſuiſt alive would have any Thing to object in Behalf of the whole Blood; yet if theſe Meaſures were never ſo much receded from, I ſhould eaſily believe it were done upon very ſufficient Grounds and Reaſons; ſo far am I from being confident that what I have writ will hold Water (as we ſay in this Caſe). I am, *&c.*

L. Jenkins.

To the Honourable Mr. B. *a Vice-Admiral.*

Sir, 1680.

Having ſeen the Contract that your Letter to me of the 31*ſt* of *March* laſt mentions, and alſo having peruſed what you writ to Mr. *W.* as well as to my ſelf, I think my ſelf bound to tell you, that the Contract is abſolutely void. The Maſter had no Power in this Caſe to ſell any Thing, but what was meerly his own in Property, he could ſell nothing that was his Owner's, or his Freighter's. Beſides, the Contract is *ipſo facto* null and reſcinded by the Law, upon the Account of the Extortion on the Buyer's, and the Neceſſity on the Seller's Side.

Imagine, Sir, I beſeech you, what a barbarous Thing it would be in me, for example, if I finding my Neighbour and his Horſe fallen into a Ditch, did not help him out but upon exacting of half the Value of his Horſe, which would infinitely exceed my Pains. I do moſt readily allow, that for Attendance, Loſs of Time, and Pains taken, a *quantum meruit* is due by Law; the reſt is Extortion, and is the more inhumane, in that it adds Extremity to the Loads of the Afflicted.

I do not exaggerate; I write but what I take to be the Law of this Land. I do not remember Sir *E. Coke* (as you have been adviſed) touches any where upon this Point; he determines indeed, that the Judgment of *Wreccum Maris* (and the Caſe in Hand is nothing to it) belongs to the Common Law, but not a Word that I can call to Mind of Salvage in any Caſe, as this is. But if he had ſo determined, I muſt take Leave to ſay, that if this had been the Caſe of a Foreigner, (this in Queſtion ſeems to be of an *Iriſhman*, who cannot have Recourſe to other Tribunals than thoſe of the

King's

King's Majeſty) I ſay, had it been the Caſe of a *Spaniard*, or *Hollander*, and that a Verdict had paſſed in *Weſtminſter* for the Validity of ſuch a Contract as this is, and that the *Spaniard* or *Hollander* could not have had his Ship or his Goods reſtored to him by ſuch a Buyer; the King, and all his Subjects of theſe Three Kingdoms, would have been juſtly liable to Letters of Mart and Repriſals, and conſequently have been forced to anſwer it with five hundred times the Value of ſuch a Ship and Cargo as this is; but without any other Remedy on our Side than Counter Repriſals, or an open War. Both which, I am ſure, every good Subject ought to avert and prevent all he can from his King and Country.

As for your Objection, SIR, that you have undertaken a very ill Province, if your Commiſſion of Vice Admiral entitles the Merchants to your Service at a Hackney Rate; I have this to ſay, that a Juſtice of Peace on Land hath but a very maigre Employment in the ſeveral Parts of his Duty, eſpecially thoſe for preſerving the Publick Peace, and Mens particular Properties, againſt Riots and Routs, and yet they (Men of Honour and Probity, I mean) never complain of it; a Vice Admiral is plainly ſuch another Officer in relation to the Sea, and under the ſame Obligations with thoſe at Land; that is, repreſents the King's Part in preſerving his Subjects and Allies from Violences, moſt eſpecially in their Diſtreſſes. Yet in ſome Things every Vice Admiral will confeſs, that he hath a better Proſpect to a lucky Hit, than a Juſtice of Peace at Land hath: Beſides, Vice Admirals in *England*, in ancient Times, being Perſons of great Figure in their Country, uſed to lay out themſelves and their Pains, for ſaving the King's Subjects, their Allies, and their Goods reſpectively, as Men that were appointed to relieve the Miſeries of Strangers, and that regarded the Peace, the Honour, and the Juſtice of the Nation.

UPON the whole Matter, I muſt take Leave to ſay, that your Deputy, in making ſuch a Contract in your Name, hath not had that Regard he owes to your own Credit, to the Honour and Service of the King, and to the Juſtice and Intereſt of the Nation; (Intereſt, I ſay) by Reaſon the Navigation of our own Country Ships upon Foreign Coaſts is ſo highly conſiderable, and ſubject to the like Caſualties; and I think you can do no leſs than revoke your Deputation to him. I am, *&c.*

L. Jenkins.

To the Right Honourable the Lords of the Committee for Grievances.

MY LORDS, *Nov.* 10. 1668.

THE Ship *Ahaſuerus* of *Lynn* in *Norfolk*, (whereof I am in Obedience to your Lordſhips Commands to give an Account) was condemned with its Lading on the 30*th* of *May* laſt, in the Council Royal of Finances at *Paris*, to a *French* Privateer, who had ſurprized, and carried her out of the Road of *Newport* into *Dunkirk*, on the 5*th* of *March* before. The Examinations of the Maſter, Mr. *Swanton* of *Lynn*, and of his Mariners and Paſſengers, were taken the next Day at *Dunkirk*, and thence tranſmitted to the ſaid Council Royal at *Paris*.

IT doth not appear, MY LORDS, by the *French* Abſtract brought me of the Proofs and Proceedings in that Council, that any *Engliſh* Merchant did appear to claim the Lading, (which was Butter, Sugar, Cloth, and Serges, to a conſiderable Value) or any Part of it, tho' it was taken in all at this Port; and the Maſter in his Anſwer affirmed, that all of it belonged to *Engliſh* Subjects.

THERE was indeed a Claim of this Cargo ſet on Foot by certain Merchants of *Liſle*, then become a *French* Garriſon; who alledged, that theſe Goods had been bought in *England*, and laden upon their Account, and conſigned to their Correſpondents at *Newport*; and that by the 31*ſt* Article of their Rendition to the *French*, they had Liberty expreſly granted them to continue their Traffick as before, with any Part of *Flanders* remaining then in Obedience to the Catholick King. But the *Engliſh* Maſter, in his ſeveral Examinations, had ſo varied from himſelf and his Company, as the Company likewiſe had the one from the other, that the Reporter to the Council had no Difficulty to diſcern and conclude this Claim from *Liſle* to be a meer Colour, and conſequently the Goods confiſcated as belonging to *Flemings*, then in Hoſtility with the *French*.

BUT for the Condemnation of the Ship, which is the ſole Thing before your Lordſhips, there were other Arguments made Uſe of, and deduced from four ſeveral Heads.

1. FROM an Article of the *French* Ordinance of the Year 1584, whereby it is declared, that either the Goods, or the Perſons of Enemies, being found on Board the Ship of Friends, ſhall infect ſuch Ship, and make it a good Prize. That there were

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ſeveral *Flemiſh* more than *Engliſh*, aboard the Ship, appears by the Examinations; and the Claim of the Men of *Liſle*, made the Preſumption ſtrong, (no *Engliſh* appearing to have an Intereſt) that the Goods too were ſuch as did affect the Ship, as belonging to *Flemings*.

2. From another Article of the ſame Ordinance, whereby Ship and Lading are declared good Prize, where no Charters-Party, Bills of Lading, nor other Documents concerning the Cargo, are found on Board; and it happened, that the Captor found none in this Ship. For the Maſter having left the Ship at Anchor, and being gone a Shoar to ſeek a Pilot, had (as he ſays) carried the Bills of Lading with him, and put them into the Hands of a *Fleming* (who was a Paſſenger, and was come a-ſhore with him) but himſelf being forced upon the ſudden to return to his Veſſel, when he diſcovered the Privateer making towards it, he had not Time to call for his Bills of Lading out of the *Flemings* Hands.

3. From their not having his Royal Highneſs's Paſſport on Board him, which the Cuſtoms of the Sea, and a Treaty between his Majeſty and the Moſt Chriſtian King, (as M. *d'Alligre* the Reporter apprehended) obliged the Maſter to be provided of; and indeed he had no other Paſſport or Sea-brief, but the uſual Cocket of the Cuſtom Houſe at *Graveſend*.

4. From a Prohibition made by the Moſt Chriſtian King, in *February* laſt, that no Perſon, without his expreſs Permiſſion, ſhould have any Commerce or Traffick with the King of *Spain*'s Subjects. This Prohibition, My Lords, I never ſaw; and whether it prohibits the *French* Subjects only, or Foreigners, (which would be very ſtrange) I do not know; only it is ſome Reply to the Merchants of *Liſle*, who urged, that upon their Rendition, they had Liberty left them to treat with the Subjects of *Spain*, which Liberty the Claimer in his Argument contends to have been taken away in *February* following by this Prohibition.

As to the Treaty, if there be ſuch a one as M. *d'Alligre* takes for granted, and pleaded by the Men of *Liſle*, (which I confeſs, My Lords, I never ſaw; for in that at *Breda*, there is nothing to that Effect) I muſt ſubmit it to your Lordſhips, how far the not having his Royal Highneſs's Paſſport, doth expoſe this Ship (otherwiſe free) to the Article of the *French Ordonnance*.

The Treaty of Commerce betwixt his Majeſty and the States General, (which is the ſame *Verbatim* between the *French* and the *Spaniards*, agreed at the *Pyrenées*, as alſo between the *French* and the States General) doth no where determine, that unfree Goods do make the Ship unfree, in Caſe it have not a Paſſport in due Form on Board it; the utmoſt Peril is, that where ſuch Paſſport is not produced, the Ship is ſubjected to a Detenſion, and a rigorous Excuſſion; but the Owners, if free, are not by the Treaty, nor can they by Law be debarr'd to make out their Property by legal Proofs. This I ſay, My Lords, where there is no Declaration made by Reaſon of a War, that unfree Goods ſhall make the Ship unfree, as his Majeſty publiſh'd in *February* 1664. to that Effect againſt the *Dutch*. The Treaty with the States mentions not this Caſe; therefore it muſt be reſolved according to the *Jus Commune*, which allows not the confiſcating of a Friend's Ship, becauſe it carries Enemies Goods. 'Tis true, that an unfree Ship makes the Goods of a Friend unfree, but, beſides that, it is obvious there is not a Parity of Reaſon in both Caſes, penal Conſtitutions cannot be extended beyond the Letter, to the Prejudice of publick Commerce. Nay, 'tis expreſly provided in all the Treaties abovementioned, that where contraband Goods are met with going to an Enemy in Friendſhip, the contraband Goods only ſhall be taken out and confiſcate, but the Ship ſhall be free, which is a Caſe much leſs favourable than when we bring Home only ſuch Merchandiſes as we are permitted by all Laws and Treaties, to ſell to thoſe that are in War with his Majeſty's Allies. So that tho' it be very inconvenient, not to have a Paſſport in Form, yet it is not ſo fatal as the Argument for the Captors would have it to be.

Besides, the Maſter depoſes, that he neither knew, nor heard, of any Treaty, Command, or Order, to be provided with any other than the uſual Diſpatches for this Voyage. And there were three Maſters of *Engliſh* Ships then riding in *Dunkirk*-Road, who did atteſt, that they themſelves had no other Paſſport but the uſual Cocket from the Cuſtom-Houſe; or that they never knew or heard of any other Paſſport or Sea-brief uſed by the *Engliſh*, in their Voyages to thoſe Ports.

As to the Article, which requires Documents of the Lading in a Readineſs to be produced on Board; I do humbly conceive, that it is not (if what the Maſter depoſes be true) applicable to the Fact in this Caſe. For that Article refers to rencounter at Sea (the Words being *les navires priſes en mer)* not to Surprizes at Anchor, as this was; for the Maſter being on Shoar, might have good Cauſe to have his

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Bills of Lading about him; ſo the leaving of them behind him upon ſo ſurprizing an Alarm as that was, which called him back to his Ship, cannot be a ſufficient Ground for Condemnation.

But if there be no ſuch Treaty of Commerce (as M. *d'Alligre* ſuppoſes) between his Majeſty and the *French* King, the old obſolete *Ordonnance* of 1584, is the only Thing that can be pretended to affect this Ship; and there are ſeveral Things of Moment, as I conceive, that may be ſaid, to ſhew that that Article ought not to obtain in this Caſe.

1. That Article hath been complained of, and written againſt, by Publick Miniſters and learned Men, upon the firſt publiſhing of it, as an Encroachment and Violation of the natural Freedom of Commerce.

2. The direct contrary has been adjudged in the Caſe of a free *Hamburgher*, ſurprized with unfree Goods on Board it, by a ſolemn Deciſion of the Parliament of *Paris* 1592. And this Article was then declared in the Sentence it ſelf to be abrogated by Diſuſe (the firſt publiſhing thereof being under *Francis* I. 1543.) having never obtained in Judicial Determination, for thoſe 49 Years; and the Deſign of the firſt publiſhing it being only *in terrorem*.

3. It has been moderated with ſeveral Reſtrictions, by the laſt and preſent Moſt Chriſtian King, in their ſeveral Edicts; (*viz. Dec.* 19. 1639. *June* 15. 1645. *Jan.* 21. 1650.) and by another *Ordonnance*, the 1*ſt* of *Feb.* in the ſame Year, it is expreſly provided, that in Prizes taken, and to be taken by *French* Commiſſions, the Goods of Enemies only ſhall be detained and made Prize; but the other Goods, and Ships that carry both, if they belong to Friends, ſhall be diſcharged.

4. That Article hath been expreſly diſpenſed with to the *Hanſe* Towns, and to the States General. In the Treaty between *Cromwel* and the *French* 1655, it was expreſly agreed, that *Engliſh* Ships ſhould be free and uninterrupted in their Courſe from *French* Men of War, tho' they ſhould happen to be laden with the Goods of ſuch as were Enemies to the *French*, except ſuch Goods were of the contraband kind ſpecified in the Treaty. It is true, that Article was but for 4 Years, till a better Proviſion could be made; but the *Engliſh* ſtill are under the Protection of the *Jus commune*, which that Article doth affirm, till there be ſome new Eſtabliſhment in the Point.

5. His Majeſty, in the late War with the *Dutch*, has not only by due Courſe of Juſtice freed all *French* Ships that carried *Dutch* Goods before the Time of his Declaration, (of the 22*d* of *Feb.* 1664. whereby Ships were rendered unfree, if any unfree Goods ſhould be found on Board) but alſo from the Time of that Declaration, to the Time of the Breach with *France*, his Majeſty was pleaſed, upon the Inſtance of the *French* Ambaſſadors, to order the Releaſe of *French* Ships coming from *Holland* at ſeveral Times, notwithſtanding the ſtrong Preſumption of their having *Hollanders* Goods on Board them.

As to your Lordſhips Command, that I ſhould humbly return what I deem fitteſt to be done in this Caſe for the Maſter's Relief, I have nothing ſatisfactory to offer to your Lordſhips. I dare not adviſe him to a *Requête Civile*, what they call an Appeal in this Caſe; the late *French Ordonnances* for Regulation of Judicial Proceedings, rendering that Method very hazardous and penal, where the Appellant has not either new Matter of Defence or Proof, not offered in the firſt Inſtance; or elſe that the firſt Sentence was obtained by Artifice and Surprize. And I confeſs I know not how this Cauſe came to be heard in the *Conſeil Royale de Finances*, which was erected in the Year 1661, for the Affairs of the King's Revenue only; but if that Council does hear and determine the Affairs formerly belonging to the *Conſeil de Marine*, it judges ſoveraignly, and admits of no Appeal, either to the Parliament or the Marble Table, where Maritime Cauſes were heard before Cardinal *Richlieu*'s Time, ſometimes by Appeal, and ſometimes by Evocation. So that his leaſt expenſive (if not the only practicable) Way will be, to petition the *French* Ambaſſador here; and if his Majeſty will pleaſe to deſcend ſo far, as to direct ſome Perſon to inforce the Merits of this Caſe upon the Petition, Reaſon will either be done to the poor Man, or elſe there will be a fair Way opened to purſue the ordinary Methods for Repriſals.

I cannot but obſerve, in all Humility to your Lordſhips, that this Ship was laden by *Engliſh* Merchants in this Port, the Maſter names 14 of them in the Examination annexed; it would be worth the Enquiry, whether theſe Goods paid Cuſtom, as belonging to Foreigners, or to *Engliſhmen*, as the Cocket ſeems to import. If his Majeſty was defeated of his due Cuſtoms, theſe Goods being undoubtedly ſhipp'd upon the Account of Foreigners, otherwiſe the *Engliſh* would have claimed them, theſe Merchants are not only accountable to his Majeſty for this Fraud, but alſo the Maſter,

Man[illegible] whom the Civil Law relieves to the full of his Damages, when the Freighter lades Goods that are unfree, under the Notion of free Goods, without his Privity. All which, *&c.*

L. Jenkins.

To the Right Hon. the Lord Keeper.

My Lord, *Jesus-College, Oxon, Aug.* 13. 1668.

It is your Lordship's infinite Condescension, to call for an Opinion so little to be consider'd as mine, before you do determine upon the *Flemings* Petition for a Review; and 'tis my Unhappiness not to be nearer to the Register of the Delegates, and other Practicers in those Courts, in order to inform your Lordship, whether there are any Precedents or not of Reviews in Marine Causes sentenced by the Delegates; only I can affirm, My Lord, that I have not known any in that little Time wherein I have had the Honour to serve in the Admiralty. I need not observe to your Lordship, that the Statute of the 8*th Eliz. c.* 5. makes the Delegates Sentence final, and prohibits further Appeal from the same in Marine Causes. There are in a manner the same Words, and the same Prohibition, in the Statute touching Appeals, of the 25*th Hen.* VIII. *c.* 19. and yet 'tis certain, that in those Causes the Delegate Sentences have been now and then review'd. I have seen a Letter from one of my Predecessors, Dr. *Lewis*, to Secretary *Cecil*, wherein he desires his Favour to promote a Bill in Parliament, (which no doubt was this very Statute, 8 *Eliz. c.* 5. for his Letter bears Date *Nov.* 5. 1566.) which he says he had brought into the Lower House, for reducing Admiralty Causes, in Point of Appeal, to the same Standard the Ecclesiastical Causes were, by the Statute 25 *H.* VIII. And in Answer to some Question that Secretary had put to him, he adds these Words: "My Lord Keeper cannot grant "any Commission upon Appeal, but *in communi formâ*, without he have a special "Warrant from the Queen's Majesty, wherein also I have some doubt:" Meaning, I suppose, (as the Civil Law lead him to believe) that no Man could be precluded (at leastwise before this Statute was made) from making his Complaint to the Prince: For so it obtains, My Lord, in most Places of *Christendom* at this Day. For instance, the Free Cities of *Germany*, which are in Possession of making Municipal Laws, are not able by any Statutes, which they frequently make, to hinder their Subjects from obtaining a Review in the *Imperial* Chamber of *Spire*. So tender is the Civil Law of the Privilege of Appeal.

But that, My Lord, which inclines me very strongly to believe there lies a Review in this Case is, that the Petitioner, for it is a Stranger, and a Subject to one of his Majesty's Allies, and consequently has, as well by the Law of Nations, as by several Treaties with *Spain*, a Right to implore his Majesty's Justice, and to be instant for it by all Ways and Means, not only ordinary in our Courts of Justice, but extraordinary also, before his Majesty by his special Delegates. And Dr. *Lewis*, it seems, doubted, whether a Complainant, who probably was a Stranger that moved the Secretary for Relief, should be concluded by them, or in his Majesty's most honourable Privy Council.

The Act 17 *Car.* I. is likewise considerable in this Case. For supposing this *Fleming*, being not admitted to this Review, do sue out Letters of Reprisal against us from the King of *Spain:* I must confess I do not see how his Majesty can well demand the stopping or revoking of such Letters, or grant Letters of Contre-Marque against the *Spaniards*, unless it can be made out that the Complainant has been fully heard and legally over-ruled, in all the Instances, ordinary and extraordinary, that he hath made for Justice.

It may be objected, My Lord, that this is a Cause of Depredation, and consequently too odious to bear a Review, without at least depositing the Sum contended for; but it being either confessed or proved (if my Memory deceive me not), 1. That this *Fleming* had a Commission of War. 2. That he took this Prize long before the Peace was declared between the Two Crowns. 3. That this Prize was condemned to him Judicially, before the publishing of the Peace; It is, as I humbly conceive, begging of the Question, to conclude this Case (before the whole Merits of it be inspected) to be a Depredation. And I cannot but think, with Submission to your Lordship, that there is Matter of State, as well as of Law, in this Case, not improper for the Consideration of his Majesty's Privy Council. The rather, My Lord, in that the Merits of the Cause (if I understand and remember it rightly) depends upon the Explanation of a Proclamation, set out in *Sept.* 1660. wherein his Majesty declares, that the League and Amity between this Crown and that of *Spain*, being interrupted by the Usurpers only, it had been agreed between his Majesty and the

King of *Spain*, that the ancient Amity and Treaties be underſtood to ſtand entire, and all Hoſtilities to be ceaſed from his Majeſty's happy Landing upon *Engliſh* Ground, and that there ſhould be a mutual Reſtitution of all Ships and Goods taken by or from either Party, from the 26*th* of *May* 1660, and that this ſhould be publiſhed upon the ſame Day in both Kingdoms; which was done with this Difference, that the then Governour of the *Low-Countries* wholly left out the Mention of Reſtitution of Goods to each other in his *Flemiſh* Proclamation.

So that, My Lord, it will fall under Debate, whether his Majeſty's Proclamation could, *ex poſt facto*, impoſe an Obligation upon this Foreigner to reſtore the Value, for there is nothing here arreſted but his Perſon. Where it mentioned only Ships and Goods in Specie, and where the Ships and Goods too had been, after a Judicial Sentence, ſold away, and the Produce of them divided between his Seamen, and ſet out long before the Proclamation. 2. Suppoſing the King of *Spain* had ſtipulated to that Effect with his Majeſty, and acknowledged it by his Proclamation, it will be a Queſtion, whether the proper Remedy to the *Engliſh* does not lie in the King of *Spain*'s Court of Admiralty, where Ship and Goods were firſt condemned; each Nation being obliged to purſue their Remedy to the utmoſt, in thoſe Places and Courts where they are firſt aggrieved; that if they be not righted by due Courſe of Law, Recourſe may be had to Repriſals, which is the only Remedy in a Denial of Juſtice; and Juſtice can't be ſuppoſed to be denied, but in that Country where the Wrong has been done.

My Lord, I do not make theſe Objections, (which I muſt confeſs had Weight with me) but with a perfect Deference to thoſe honourable Perſons, before whom my Sentence was examined; and I have no Difficulty to acknowledge the Weakneſs of my own Judgment in compariſon of theirs. I am, *&c.*

L. Jenkins.

To the Right Honourable Edward *Earl of* Clarendon, *Lord High Chancellor of* England.

My Lord,

YOUR Lordſhip having been pleaſed, upon the Petition of *Richard Batſon*, to refer to me, whether, notwithſtanding his Renunciation of an Appeal, ſince he had not the Time and Opportunity to make his Defence, which was the Conſideration for which he renounced, he may not have Liberty to ſue out a Commiſſion of Appeal.

Upon Conſideration of his Petition, and the Act made of his Renunciation hereunto annexed, I am of Opinion; That tho' the Law be extreamly favourable unto thoſe Appeals that are addreſſed to the Soveraign, yet I cannot ſay that the Petitioner (who is no Minor) hath any Colour to be relieved againſt his own expreſs Pact and Renunciation.

His Caſe is thus: He had, upon the re-opening of the Cauſe, five Weeks given him to make his Proofs and Defence; nor was the Cauſe concluded upon him till eleven Weeks End. In this Time, his Proctor produced ſeven Witneſſes, and had Compulſories decreed him againſt eight more: If the Impediment, which the Petitioner, it ſeems, laboured under for ſome Part of that Time, was any Cauſe that he could not do all that was to be done in his own Defence, he ſhould have pleaded, or proteſted of it *in Actis Curiæ*, before the Concluſion of the Cauſe.

And there being an undoubted Right acquired to the King's Majeſty by this final Deciſion, he can't, as I hnmbly conceive, be diveſted of it without his own Royal Conſent, at leaſt not without hearing the Council, who on his Majeſty's Behalf proſecuted this Suit. And the Petitioner muſt impute it to his own neglect, that he did not make Uſe of his Time allowed, or elſe plead the Impediment, while he was to be heard. For as a Man's own Pact is ſufficient to remit an Action or a Debt, tho' never ſo juſt or great, ſo by parity of reaſon it ſhould be, and in the general is, of Force enough to preclude a Man from the Benefit of being relieved upon Appeal.

2. That which ſeems peculiar and favourable to the Petitioner's Caſe is, that the Validity of this Pact does not lie judicially by way of Plea, but by way of Suggeſtion only, before your Lordſhip. For tho' the Pact it ſelf be ſufficiently notorious, as being in the Acts of Court, yet now that it would be receded from, there ought to be a Judicial Hearing upon the Merits of it; ſince it is not impoſſible but that it may be ſuch, the Inducements and Circumſtances conſider'd, as not to bind the Petitioner in this Caſe; eſpecially ſince the Pact is not mutual, nor the Appeal renounced on the King's Majeſty's, (which certainly would have made the Pact more binding, if not more agreeable to Law) as well as on the Petitioner's Behalf.

3. How

3. How far the Statute, 8 *Eliz. c.* 12. does oblige your Lordſhip to enter into the Cogniſance of the Cauſes of Appeals, is not a Buſineſs proper for my Speculation, but ought to be wholly ſubmitted to your Lordſhip's better Judgment. However, My Lord, I humbly apprehend, that the Debate of a Preliminary Article, ſuch as this of the Petitioner's renouncing is, may not improperly lie before ſuch as your Lordſhip ſhall delegate to Judge the whole Cauſe. And ſince the Benefit of alledging this Pact againſt the Appellant, will be as entire to his Majeſty's Council before the Judges Delegates, as now it is before your Lordſhip, (the Petitioner having depoſited the Sums he is condemn'd in) may, as I do with Submiſſion conceive, have a Commiſſion of Appeal granted to him, without any Prejudice to the Right already acquired to his Majeſty. For in caſe the Petitioner be not by Law to be relieved, upon the Impediments he alledges himſelf to have labour'd under, and that he was not ſo diſabled to carry on his Defence, as he pretends, the Judges Delegates will find themſelves obliged to remit the Cauſe with Coſts back again. All which I humbly ſubmit to your Lordſhip's Wiſdom.

L. Jenkins.

To the Right Honourable Sir Orl. Bridgman, *Knt. and Bart. Lord Keeper of the Great Seal.*

My Lord,

In Obedience to an Intimation from your Lordſhip, brought us by Sir *Timothy Baldwin* Knt. one of the Maſters of the High Court of Chancery; and after Peruſal of your Lordſhip's Order of the 15*th* of *February* laſt, in a Cauſe of Alimony between *Broom Whorewood* Eſq; and his Wife; we do humbly ſignifie as our Opinion:

1. That where a Sentence of Divorce *in Cauſa Sævitiæ* is given, the Wife is at Liberty to live apart from her Husband, and ought to have Alimony, notwithſtanding any Invitations or Inſtances made by the Husband, till ſhe do of her own Accord return to cohabit with him. Or elſe, that the Court Chriſtian do ſee Cauſe, upon new Allegations and Proofs, to compel her to return *ad Obſequia Conjugalia*; there being no other Court that can regularly (as we humbly conceive) compel a Wife to return, and conſequently puniſh her for not returning, when a Wife is in Poſſeſſion of a Sentence for a Separation, ſuch a Sentence being irreverſible by any other Authority than that of the Court Chriſtian.

2. That there are ſome Sorts of Cruelty, which being alledged in Judgment and proved, and a Sentence of Divorce thereupon had, the Wife cannot by Law be compell'd, againſt her own good Liking, to return and cohabit with her Husband, tho' ſuch Caution be offered as is beyond Exception.

3. That there are other Cruelties (ſo called) ſuch as may be endured when they happen; and though they have been ſometimes acted, yet a Change in the Husband may make it almoſt unreaſonable to fear them in new Circumſtances: There are likewiſe Sentences of Divorce ſometimes ſubmitted to by a tacit Conſent of the Party. In theſe Caſes, the Court Chriſtian may call the Wife, and upon Cauſes alledged and proved, compel her, by Cenſures Eccleſiaſtical, to return and cohabit with her Husband, upon Caution given for her good Treatment.

4. That if this Plaintiff be really diſpoſed to treat his Wife as he ought, and yet his Applications and Offers of Security be rejected by the Wife, his proper Remedy (as we humbly conceive) is, to inſtitute an Action in the Court Chriſtian, *pro reſtitutione Obſequiorum Conjugalium*, (as it is termed with us) againſt his Wife; and if the Court is ſatisfied, that the Husband has not by his former Cruelties rendered himſelf for ever uncapable of demanding the Return of his Wife upon Security, but that ſhe is unreaſonably fearful, or undutifully averſe, the Court (after due Conſideration had) may, and ought to pronounce *pro reſtitutione Obſequiorum Conjugalium*; provided the Arrears of her Alimony (if any be) incurr'd before ſuch Proceedings and Sentence, be firſt ſatisfied: And as ſuch a Sentence will diſcharge the Husband of future Alimony, if any have been awarded by the Court Chriſtian, ſo it will be (as we humbly conceive) a ſtrong Plea before your Lordſhip, for the reverſing of the Decree in Queſtion. All which we ſubmit with all Humility to your Lordſhip's great Wiſdom, and are, *&c.*

G. Sweit.
L. Jenkins.

Upon the Petition of Mr. *Pierrepoint*, Nephew to the Marquiſs of *Dorcheſter*, to have an extraordinary Commiſſion to diſſolve a Matrimonial Contract, whereby he was joined to a Miniſter's Daughter, by the Miniſter or Father himſelf, uſing the

Form of the Common Prayer, in an Alehouſe, Mr. *Pierrepoint* being in Drink; the Lord Keeper made the following Reference.

June 18. 1670.

I Deſire Sir *Giles Sweit*, Dean of the Court of Arches, and Sir *Leoline Jenkins*, Judge of the Prerogative Court, to call before them the Petitioner's Council, touching the Legality and Conveniency of granting ſuch a Commiſſion as is deſired; and that they will afterwards pleaſe to let me know their Opinions, whether I ought to iſſue out ſuch a Commiſſion.

Orl. Bridgman, L. S.

May it pleaſe your Lordſhip,

HAVING heard Council for the Petitioner, we are not ſatisfied that it is legal, and convenient to proceed in the Cauſe deduced in this Petition, by ſuch an extraordinary Commiſſion as is deſired. For we do humbly conceive, that there are proper and effectual Remedies to be had in the ordinary Courſe of Law, by way of promoting Articles againſt ſuch as are chargeable with the Conſpiracy and Inveagling therein alledged. And as to the Matrimonial Contract here in Queſtion, the proper Ordinary of the Parties, and the Judicatures ſuperiour to ſuch Ordinary, ought to pronounce and determine upon the Validity or Nullity of it, and no other Court or Commiſſioners that we know of. All which we do with all Humility ſubmit to your Lordſhip's Wiſdom.

G. Sweit.
L. Jenkins.

To the Right Hon. his Majeſty's principal Commiſſioners for Prizes.

MY LORDS, *Doctors-Commons, May* 13. 1665.

I Have, in Obedience to your Lordſhips Order, examined ſix Witneſſes, and peruſed all the Ship Papers concerning the *Little Dorothy* of *Longſound* in *Norway*, laden with Timber, and bound, as 'tis alledged, for *London*. The Witneſſes and Papers do agree that the Ship is *Daniſh*, both for the Fabrick and Owners. The Lading (which is Deal and Timber) is poſitively ſworn to be the Property, and upon the Account of *Norwegians* alone, and not of any Subject of the States whatſoever. But the Cocket from *Longſound*, doth neither ſpecifie to whom the Lading belongs, nor yet any Port to which it is conſigned. The Reaſon of this Blind, by the Owner's Confeſſion, is, that if this Fly-Boat had fallen into *Dutch* Hands, the Maſter might be at Liberty to ſell the Lading in their Ports, and that it might not be diſcovered that they were bound for *London*.

BESIDES, one *Shorter*, an *Engliſh* Merchant of the *Norway* Trade, challenges the Goods, as having contracted for them before the Ship was ſeized on; but ſo, I perceive, as not to be bound to make any Payment, in caſe the Goods had met with any Miſadventure before their Arrival in this Port. And 'tis probable, there was ſuch another Merchant appoſed in *Holland*, to make the like Challenge there, that the Ship and Goods might with leſs Difficulty be gotten off, in caſe they had been brought into any of thoſe Ports. However, the original Deſign of the Voyage is ſworn to be for *London*, and this Fly-Boat not only to have traded conſtantly hither, (having been twice at *London*, and at *Lynn*, within theſe twelve months laſt paſt) but that this her Voyage was deſign'd to be in Conſort with three Ships more, belonging to the ſame Owners, that happened to paſs through without Stop to this Port. And the Account given of her, being in a ſtrait Courſe for, and within five Leagues of the *Texel*, is, that ſhe was forced to that Courſe by contrary Winds and foggy Weather.

I have, MY LORDS, interrogated Mr. *Shorter* apart from the reſt, and he fully concurs with them; but I have reſerved the admitting of him to his Oath to your Lordſhips; ſince a Perſon that is admitted to ſwear in his own Cauſe, has a Title to the Benefit of it, as of a full Supply to the reſt of the Proofs, if he do clear the Point in Concurrence with them.

So that upon the whole, the Ship, the Goods, the Freighters, the Ports both of Lading and of Diſcharge, being all free, and there being no Incoherence in, or Objections againſt the Proofs, I do with all Humility ſubmit it to your Lordſhips, as a Cauſe that hath not in it (in my poor Judgment) any ſufficient Grounds of Condemnation: Provided that the *Engliſh* Merchant that claims, do upon Oath give a ſatisfactory Account of the Reality of his contracting for theſe Goods, and do expreſly abjure all Colluſion and Colouring for the *Dutch*; and that withal it does appear, by his

his Reputation of Probity, and Courſe of Trade, that his Oath ought to be of Weight and Credit in Judgment. I am, *&c.*

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of Prizes.

My Lords, *Wincheſter, Sept.* 23. 1665.

I Have, in Obedience to your Lordſhips Commands, view'd the Papers and Depoſitions that are brought to the Admiralty, touching the Ship called *La Bergere*, alledged to belong to the *Weſt-India* Company, now of late ſet up in *France*; but have not found among the Writings any *Dutch* Letters or Papers, tho' I find expreſs Mention of ſuch in the Depoſitions; which makes me ſuppoſe your Lordſhips have not tranſmitted thoſe hither with the reſt.

There is a great Number of Letters ſent aboard this Ship by the *French*, that went from *Breſt* to *Madagaſcar* the laſt Spring; for they found this Ship near *Cape de Vert*, as they put in for Refreſhment there, and clos'd with that Conveniency of Writing, either to their Superiors, (the Directors of that Company) or to their Friends. Among all thoſe Letters, I have not found one addreſs'd to *Holland*, or writ in *Dutch*. All the Mention in them of the *Hollanders*, is by way of News; that they had taken not long before, (in *April*) the Fort in *Cape de Vert* from the *Engliſh*; and that they had put the *Engliſh* into an Iſland, where, 'twas thought, they were all periſhed. But the Writers do generally concur in this Apprehenſion, that this Ship was bound for *Havre de Grace*, or ſome Part of *Normandy*, and did belong to the *French Weſt-India* Company.

There was alſo a great Parcel of Letters and Papers (which I examined as ſtrictly as I could) from the Factors and others belonging to the ſaid Company, to their Directors in *France*; giving an Account of their Trade and Affairs upon that Coaſt. In theſe Accounts (which are very voluminous) from the Intendant for the Company, and others, touching this Ship's Lading, I could not trace the leaſt Traffick or Correſpondence with the *Dutch*. And the Captain of the St. *John*, another Ship belonging to the Company, ſtaying for his Lading in thoſe Parts, acquaints his Superiours in *France*, that they are ſo jealous there of the *Dutch*, that a ſingle *Hollander* was refuſed his Paſſage in this *Bergere*, for fear of Trouble if they ſhould meet with the *Engliſh*.

But the Papers, My Lords, that are the eſſential Part of the Evidence, go much further in clearing the Ship. The *Congé* of M. *de Vendoſme*, is a Commiſſion both for War and Trade upon the Coaſt of *Guinea*, particularly *Senegal* and *Cape de Vert*, having his Broad Seal annexed to it. The Commiſſion of the Directors for the *Weſt-India* Company to this Captain, is under a fair and large Seal, appropriate to that Company, and under the Hands of ſeveral Chiefs among them, beſides his Inſtructions ſealed up with a leſſer Seal. To this, if the Depoſitions of the Captain, Intendant, the Super-Cargo, and two more, be taken in, it makes as ſtrong a Caſe as I have known for the Claimer.

It appears indeed that the Ship is *Holland* built, nor is there are any Thing in the Ship, or from the Witneſſes, (otherwiſe than that the Captain ſwears it was bought in *Holland*, ſome Months before this Voyage, for the Account of the Company) that proves directly that the Property was transferr'd by Sale to the *French*. Yet in the Captain's Inſtructions, he is order'd to comport himſelf with all Reſpect and Deference to his Majeſty's Men of War, in caſe he ſhould be ſeized by them, by reaſon of his *Holland* Bottom, and to ſhow, upon ſuch an Occaſion, the Admiral's *Congé*, and his Commiſſion, which they thought ſufficient to clear his Ship.

The Account which the Intendant gives upon Oath, of the *Dutch* Pacquets found aboard is, that they were ſent from a *Dutch* Plantation, upon ſome Knowledge they had of the Ship's Departure from *France*; but he (tho' willing to do the *Dutch* Merchants the Civility of this Conveyance) poſitively abjures the receiving of any Goods, or the having of any Commerce with the People.

The Captain that took this Ship, My Lords, makes Affidavit, that the Maſter denied he had any Bills of Lading aboard; which yet were found in his Coffer. The Intendant ſays, the Bills of Lading were had out of his Coffer, not the Captain's; and that there was no Refuſal (if he were rightly underſtood) in the Caſe. 'Tis true, that by his Majeſty's Ordinances, the concealing of Ship Papers is made fatal: But, on the other Side, it is reaſonable that the Words and Circumſtances of the Demand, and the Denial following, be made out more explicitly and ſolemnly, than it is by the ſingle Affidavit ſent into the Admiralty.

But, My Lords, if his Majeſty ſhould be graciouſly inclined not to inſiſt upon the Letter of that Ordinance, I do humbly conceive, that there is nothing in the Tenor of the Ship Papers and Depoſitions, that can affect either Ship or Goods with a further

ther Excuſſion; but that unleſs the Captain, the Intendant, and the Factor, do extreamly prevaricate with their Oaths here, and with their Inſtructions, the Property of the Ship and Goods is altogether in the ſaid *Weſt-India* Company, and none at all in the *Hollanders*. I am, *&c.*

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of Prizes.

My Lords, *March* 1. 1665.

I Have, in Obedience to your Lordſhips Order, peruſed the Papers of the *Pearl* of *Oſtend*. In the Depoſitions, there is one Thing that is unavoidably fatal; four of the Ship's Company (the Steerſman, Gunner, Cook, and another) are poſitively ſworn to be Subjects of the States, born in their Dominions, and the Ship, by the Paſſes, and M. *de Caſſel Rodrigo*'s Sea-brief, to have belong'd to *Oſtend* for theſe two Years laſt paſt. Touching the Cargo, there is no Account at all of its Property by any Letters of Advice or Documents. The Bills of Lading are in the Names of *Flemiſh* Merchants, as Laders; and *Spaniards* in *Bilboa*, as Conſignataries; and upon their Account and Riſque, being about 26 Merchants that ſeem to be concerned in the whole. The Skipper and all the Company ſay, the preſent Lading (which is moſtly Pepper) was taken in, partly from off the Key at *Oſtend*, partly out of Bylanders; but none of them ſpeak out, whence the Bylanders came. Some ſay (ſix being examined) they came from *Bruges*, as they have heard ſay; only the Steerſman ſays, he believes the Spices were brought lately from *Holland* to *Oſtend*. Here is no Charter-Party in the Caſe; nor none of thoſe ample Atteſtations and Declarations upon Oath, that the *Flemings* uſed to be furniſhed with, when the Concern is *bonâ fide* their own. And 'tis utterly improbable, that Free Merchants would ſuffer a Number of unfree Perſons to be aboard, to the manifeſt Hazard of ſo conſiderable a Lading. For 'tis obvious by their uſual Precautions, that they are no Strangers to our Proceedings in the Admiralty. Nay, the Skipper, for his clearer Conviction, had his Majeſty's Declaration of the 22*d* of *February*, 1664. found on board among his Papers. I am, *&c.*

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of Prizes.

My Lords, *Admiralty, Mar.* 8. 1665.

C. *Content*, Maſter of the Ship *Sancta Maria*, (which your Lordſhips have commanded me to inſpect) hath made Oath before the Magiſtrates of *Bruges*, that his Ship belongs to Meſſieurs *de la Valette* of that City; two of his Company ſwear the ſame upon hearſay; and 'tis affirmed by him that ſollicits the Cauſe, that further Proof, if needful, will be made of what the Maſter has ſworn, by Merchants of this City.

The 300 Barrels of Salmon conſign'd from *Bruges* to *New-haven*, under the borrow'd Name of *de la Valette*, are ſo fully and clearly made out (by the Letters miſſive, the Copies whereof Mr. *Jackſon* a Merchant, that ſollicits this Cauſe, ſhew'd me in his Book of Entries; and alſo by the Letters reſponſive, whereof he produced half a Score in their Originals) to belong in Property to his Majeſty's Subjects, that I am not capable of a greater Conviction, than that which the Coherence of ſo many Papers (which concern ſeveral other Buſineſſes beſides this) does give me; the Particulars whereof would be too long to deduce to your Lordſhips.

The *Aſcenſion*, My Lords, was upon hearing of both Sides decreed upon Bail, becauſe there were Atteſtations, that the Parties intereſſed had made Oath before their Magiſtrates of their Property, there being likewiſe Bills of Lading, anſwering thoſe on Shipboard, produced in Court. Yet in regard of the Preſumption that lay againſt ſome Part of that Lading, it was not thought fit the Court ſhould abſolutely diſcharge the Claim, conſidering eſpecially that the Parties own Oath makes not half a Proof (to ſpeak ſtrictly) at the beſt; and that Atteſtations are often ſurreptitiouſly obtained beyond the Seas. The Sale of the Goods being on the other Side proteſted againſt by the Claimers, as an irreparable Grievance, in Regard it would turn to no Account; I choſe therefore to make them give Bail to the full Value, they undertaking, and are now ready, as they tell me, to go to Sentence, and to make out their Proof in a very ſhort Time. I am, *&c.*

L. Jenkins.

To His Majeſty in Council.

May it pleaſe your Majeſty, *Dec.* 5. 1665.

I Have, in Obediene to your Majeſty's moſt gracious Command, ſignified unto me in the Order annex'd, heard what is alledg'd on both Sides in the Buſineſs of the St. *Anne* of *Oſtend*, which was brought in to *Dover* by a *Portugal* Privateer; and now I lay at your Majeſty's Feet the beſt Account I can of the whole Matter.

1. It is agreed on both Sides, that this Privateer was a little Shallop ſet out in your Majeſty's Port of *Dover*, and that the major Part of the Company that mann'd her, were your Majeſty's Subjects, *Engliſhmen*.

2. It is agreed that *Peter de Bills*, the Fitter out, was not on Board, nor yet the Original Commiſſion by which he acted, when the *Oſtender* was taken. There was only a Tranſcript of the King of *Portugal*'s Commiſſion to *de Bills*, tranſlated into *French*, and atteſted for a true Tranſlation under the Hand and Seal of the *French* Conſul at *Liſbon*; in the Bottom of which Tranſcript, *de Bills*, by way of Apoſtil under his Hand and Seal, impowers one *B. J. Gowenor*, a *Dunkirker*, to command the Shallop now in Queſtion, and to act againſt the Enemies of his Commiſſion.

3. The Commiſſion it ſelf bears Date in the Year 1658, but is ſince revived, *viz.* in *April* laſt, under the King of *Portugal*'s Hand. *De Bills* is by it impower'd to arm and ſet out a Ship, and other Veſſels, (*Os Barcos*, in the Original) which ſhall be neceſſary for him againſt the *Caſtilians* and *Moors*. By the Orders of *Portugal*, the Privateers have Leave to arm in any Port or Kingdom, as ſhall be convenient for them; and they are to bring ſuch Prizes as they ſhall take into *Portugal*, to be there judged: Which Particulars the Taker alledges as material to his Juſtification in this Cauſe.

4. The Place where this *Oſtender* was taken, is not preciſely agreed on; one of the Takers ſwears, the Capture was off againſt *Calais*; thoſe that were taken ſay, it was four Leagues Weſt of *Dover*, about two *Dutch* Leagues off the *Engliſh* Shore. Yet this (tho' it ſhould be true) does not, as I humbly conceive, bring them within one of your Majeſty's Chambers, I mean, within the Line (a ſtrait one being drawn) from the *South-Foreland* to *Dungeneſs* Point.

5. It was ſworn by two *Engliſhmen*, who were aboard the St. *Anne*, and nothing concerned, for ought I perceive, in the Goods in Queſtion, that this Shallop hal'd them in *Engliſh*; that upon Anſwer made that the St. *Anne* was from *Oſtend*, and bound for *Portſmouth*, and had been already hal'd and diſmiſs'd by the *Lenox* Frigate, the Reply out of the Shallop was, that notwithſtanding all this, they muſt board them, otherwiſe they would ſhoot; having Orders, as they ſaid, to bring all Veſſels into *Dover*. To this the Maſter of the St. *Anne* adds upon Oath, that he obey'd meerly out of Reverence to your Majeſty's Name and Authority, that was pretended; this happening in the Dark about ten at Night. That he had no Apprehenſions of a *Portugal* Commiſſion, and that he was upon Terms good enough to make Reſiſtance. That the Shallop had ſet out of *Dover* but at ſix that Evening, and that upon Diſcovery (as he believes) of his Veſſel. That the *Portugal* Commiſſion was neither ſhew'd, nor mentioned unto him, or to any of his Company, till after his coming on Shoar at *Dover*. But for theſe Particulars, I have no more but the Maſter's ſingle Oath.

6. It appears on the Taker's Behalf, that he, *Gowenor*, finding 8 Horſes, ſaid to belong to his Royal Highneſs the Duke of *York*, on Board this *Oſtender*, ſent to the Governour of *Dover*, to let him know he would land the Horſes in that Port, if he might have Liberty to go off again for *Portugal* with his Prize: This being accorded to him by the Governour, before he could land the Horſes and get off again, the whole Cargo was arreſted and claimed, as belonging to *French* Merchants; which was, I ſuppoſe, by way of Colour only, in order to evade and defeat the *Portugal* Commiſſion. The Matter, it ſeems, being heard at the Admiralty Court of *Dover*, and the Diſpute proving to be, (if I underſtand it rightly) not about the Validity of the Commiſſion, or the Manner of the Capture, but about the Property of the Cargo, which was pretended to be in *Frenchmen*, the Cauſe was diſmiſs'd to the proper Place of Judicature, and *Gowenor* ſet at Liberty with his Prize. But he breaking Bulk, was ſeized again by the Officers of the Cuſtoms, which gave this ſecond Opportunity to the *Oſtender*, to attempt the Recovering of this Ship and Goods.

So that upon this whole Matter of Fact, there do ariſe two Queſtions. The one, whether the Commiſſion whereby this *Oſtender* was taken, is a good Commiſſion? The other, whether this Capture was not a Violence to that Protection and Safeguard, which your Majeſty's Authority affords unto Strangers, coming upon their lawful Occaſions towards any of your Majeſty's Harbours or Ports?

As

As to the Commiſſion; 'tis true his Majeſty of *Portugal* is not obliged, in granting out Commiſſions, to take his Meaſures from the *Engliſh*, or any other Foreign Style; yet the general Law determines all Commiſſions (moſt eſpecially ſuch as this is) to be *ſtricti Juris*, and not to be further extended, either by Inferences or Deductions, than the expreſs Words do naturally import. So that whatever the Meaning of that Clauſe be, *viz.* that *de Bills* may ſet out a Man of War, and what other Veſſels ſhall be neceſſary for him, (as if he might have ſeveral Veſſels at Sea at one and the ſame Time, and yet himſelf and his Commiſſion can be but in one of them) it cannot be ſaid that he hath Liberty to ſubſtitute or depute another to act in his Place, ſince there is no ſuch Power of Deputation given him by his Commiſſion: Much leſs can a Copy or a Tranſlation be authentick, when there is no Clauſe providing to that Effect in the Original; eſpecially in this Caſe, which is as little favourable as can be in the Eye of the Law.

The ſecond Queſtion is, as I humbly conceive, beſt reſolved out of a Declaration, which your Majeſty's Grandfather of bleſſed Memory publiſhed in the Year 1604, in Reference to theſe Hoſtilities, in theſe Words:

" OUR Pleaſure is, that within Our Ports, Havens, Roads, Creeks, or other Pla-
" ces of Our Dominion, or ſo near to any of Our ſaid Ports or Havens, as may be
" reaſonably conſtrued to be within that Title, Limit, or Precinct, there ſhall be no
" Force, Violence, or Surprize, or Offence ſuffered to be done, either from Man of
" War to Man of War, or from Man of War to Merchant, *&c.* but that all, of
" what Nation ſoever, ſo long as they ſhall be within thoſe Our Ports and Places of
" Juriſdiction, or where Our Officers may prohibit Violence, ſhall be underſtood to
" be under Our Protection, and to be order'd by Courſe of Juſtice, *&c.* And that Our
" Officers and Subjects ſhall prohibit, as much as in them lies, all hovering of Men
" of War, *&c.* ſo near the Entry of any of our Havens or Coaſts; and that they
" ſhall receive and ſuccour all Merchants and others, that ſhall fall within the Danger
" of any ſuch as ſhall await our Coaſts, in ſo near Places, to the Hindrance of Trade
" to and from Our Kingdoms."

So that, conſidering this Shallop ſet out of your Majeſty's Port, where it hovered for Prey, ſince it was mann'd for the moſt Part with your Majeſty's Subjects, contrary to the Meaning of the *4th* and *6th* Article of the Treaty with *Spain*, made in the Year 1630; ſince the Surpriſal was made in the Night, not by Force of Arms, but by abuſing your Majeſty's Name and Authority; ſince the true Commiſſion was neither pretended, ſhewed, nor indeed on Board at the Time of the Capture; I am of Opinion, that the Capture was unduly made, and that the *Offender* ought to have his Ship and Goods reſtored to him; and that the Commander in the Shallop, and the *Engliſh* on Board, deſerve to be puniſh'd. All which I do with all Humility ſubmit to your Majeſty's Royal Wiſdom.

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of Prizes.

My Lords, *April* 29. 1666.

THE St. *Peter* of *Bruges* is but newly brought up into this Port, and very few of the Ship Papers are yet come to Hand, ſo that my Account of it at preſent muſt be very imperfect: But as to M. *d'Ognati*'s Memorial, I muſt crave Leave to obſerve unto your Lordſhip, that he is not rightly informed of our Proceedings in the Admiralty. For tho' 'tis obſerved in the Memorial, that Atteſtations from *Flanders* are not admitted as ſufficient, the contrary will be witneſſed by very many Perſons of that Country, who always found that Atteſtations under Publick Seals, have had their proper Weight and due Regard in this Court. Yet 'tis not unknown, that Atteſtations are too often paſs'd without that due Inſpection and Solemnity as is requiſite. Beſides, when the Preſumptions are ſo ſtrong againſt the Claimer, as to oblige him to make a full Proof of his Property before he be diſmiſs'd, I am with Submiſſion of Opinion, that the Law of *Flanders*, as well as in *England*, will not allow an Atteſtation alone to be a ſufficient Proof; ſince it amounts to no more than a Man's Oath in his own Cauſe. I am, *&c.*

L. Jenkins.

To

To the Lords Commiſſioners of Prizes.

My Lords, *Admiralty, May 5. 1666.*

THE St. *John Baptiſt* of *Hamburgh*, (whereof I am, in Obedience to your Lordſhips Order, to give an Account) is a Ship in Ballaſt bound thence for *Bourdeaux*. The concurrent Teſtimony of the Maſter upon Oath, and of the Papers on Board, do evidence her to belong to *Hamburghers*. And for further Conviction, there is an Atteſtation under Sir *W. Swan*'s Hand and Seal, that the preſent Freighter had made Oath before him, the 27 *th* of *March* laſt, that this Ship and Voyage, for to take in a Lading of Wine, was upon ſome *Hamburghers* Account.

I muſt here, My Lords, moſt humbly crave Leave to obſerve unto your Lordſhips, that in the preſent Miſunderſtanding between the Sub-Commiſſioners of *London* and thoſe of *Dover*, the Juriſdiction of the Admiralty ſuffers much: What the Pretenſions of the one, or of the other are, I ſhall not now touch upon, or undertake in the leaſt to determine. 'Tis not to be queſtioned, but that the Sub-Commiſſioners under your Lordſhips, have a Right to ſee to the Execution of the Decrees of this Court; and if there be any Decree unduly obtained, and ſuddenly or ſurreptitiouſly to be executed, they may uſe what Means are moſt effectual upon the ſudden, to prevent or ſtop the Execution of it; and as Time will ſerve, to acquaint the Admiralty with the Caſe, and to move for the Revocation of the Decree, which the Court cannot but do upon better Information.

Whereas if the Sub-Commiſſioners oppoſe their Intereſt with your Lordſhips, without any Decree of Court, to an Order of Court directed to your Lordſhips, and do prevail, not by reverſing the Decree in Court, which is the regular Way, but by their extrajudicial Power, the Seal of the Court becomes deſpicable. And 'tis with much of Regret, that I obſerve to your Lordſhips, that a Perſon in chief Command at *Dover* has (as I am inform'd) ſaid, that he as little valued or heeded a Decree of this Court, as he ſhould an Order from the King of *France* his Hangman, or to that Effect. Which I do moſt humbly ſubmit to your Lordſhips Animadverſion. I am, *&c.*

L. Jenkins.

To the Lords Commiſſioners of the Prizes.

My Lords, *Weſtminſter, Sept. 17. 1666.*

THE St. *George* of *Hamburgh*, was taken between three or four Leagues off the *Vlie*, plying in a contrary Wind, as the Maſter depoſes, her Courſe from *Hamburgh* to *Roüen*; being brought into *Harwich*, I do not find that any of her Company was examined, which is an Omiſſion, your Lordſhips, I doubt not, will think worth preventing for the future. The Maſter, who alone is come up hither, I have cauſed to be examin'd. He ſwears that the Ship and Lading do entirely belong to *Hamburgh*; that this Ship has not been in *Holland* theſe 9 Years; that his Papers are all true, and his Company all free. His Sea-brief makes likewiſe 9 Burghers of *Hamburgh* to be Owners of this Ship; and I find her upon the firſt Liſt, which that City gave in to his Majeſty upon Occaſion of this War. The Bills of Lading found on Board are 35 in all, and there are Atteſtations of the Oaths, which the reſpective Proprietors have made before their Magiſtrates, correſponding exactly with the ſeveral Particulars in the Bills of Lading; which Atteſtations are more of Weight and Credit, in that they were obtained before the ſetting out of this Ship. The Cargo is Lead, Wool, Steel, Wyer, and Copper-Ware; and they are not only *Hamburghers* (as the Maſter it ſeems apprehended) that are the Laders of this Ship, but there are others of *Breſlaw*, *Bremen*, *Antwerp*, and *Dantzic*, that are made in the Atteſtations, Proprietors of ſeveral Parcels of this Lading.

Upon Occaſion of theſe Atteſtations, I ſhall crave leave to offer unto your Lordſhips what has fallen not long ſince under my Obſervation. Thoſe *Hamburghers* (as there are ſome) who favour the *Engliſh* Trade, make no Difficulty (in Order to obtain the Atteſtations in common Form) to ſwear, that thoſe very Goods, which *Engliſhmen* do buy in *Hamburgh* with their own Money, and which are to be deliver'd here in *England*, upon the proper and ſole Account of *Engliſhmen*, as ſoon as they come to ſafe Port, do belong to the Laders, i. e. *Hamburghers*; and that no other Perſon can, or ought to pretend to any Intereſt in them. The Way that they ſalve this Caſe of Conſcience (as I have ſeen them explain themſelves in their Letters) is, by taking the Riſque of the Goods upon themſelves, while the Goods are at Sea and in Danger of the Enemy. And for ſo doing, they have ſo much *per Cent.* yet this Riſque

of theirs is ſo limited, that as it Reſpects no other Danger of the Sea, but that from the Enemies of this Crown; ſo they are bound no more, but to uſe their utmoſt Endeavours and Intereſts to make out a Claim, the Loſs being the *Engliſhman*'s, if the Sentence ſhould, by violent and exorbitant Proceedings, go againſt the *Hamburgher*.

It is not improbable but that the *Dutch* and the *French* have likewiſe ſuch Friends at *Hamburgh*, as will lend them their Names, and their Conſciences too, upon the like Terms. But the ſure Way to obviate the Fraud of ſuch mental Reſervations and Equivocations (for againſt downright Perjury there is no Fence, as long as Oaths are, and there muſt be ſomething or other deciſive in Judgment) would be, as I do with all Submiſſion poſſible to your Lordſhips conceive, that the Senate would pleaſe to order all Deponents to be interrogated in ſuch a Form, as the King's Proctor ſhall ſend hence to the Deputies for taking theſe Oaths; or elſe that ſuch Laders as deſire a Benefit here from Atteſtations, ſhould ſatisfie his Majeſty's Miniſter in that Town, touching their reſpective Properties. Yet I muſt not deny, that this amounts to little more than what is already done, if I be truly informed by the Secretary of the *Hamburgh* Agent, for letting him know, that I deſired to learn from his Maſters, what the Solemnity and Circumſpection was, which the Deputies uſe at *Hamburgh*, before they grant their Atteſtation under Seal; he writes unto me, that every Man that obtains that Atteſtation, ſwears explicitly, that none in Enmity with the King of *Great Britain*, has any Intereſt in the Goods, touching which he makes Oath.

Among the Laders, My Lords, I found two Names which I gueſſed to be *French*, and the Secretary who ſollicits this Buſineſs, could not but acknowledge the Perſons (*Du Prié* and *Heron*) to be *Frenchmen* born. But the *Salvo* that he and the Skipper gave me upon Oath is, that *Du Prié* has lived in *Hamburgh* with his Wife and Family for above theſe 20 Years; and that the other has lived there likewiſe theſe 8 Years: Which regularly is ſufficient in Law to excuſe him, as I humbly conceive, from being ſubjected to the ſame Repriſals with the reſt of his Countrymen: The *Hamburghers* at leaſt do conceive ſo, for this Skipper ſwears, that he refuſed to take in *Heron*'s Goods, till the Senate ſent a Publick Officer to let him know, that he was to trade for him as freely, as for any Burgher of their City. If this be true, 'tis a ſtrong Preſumption that the reſt of the Laders are, as their Atteſtations ſpeak them to be, in *bona fide*. I am, *&c.*

L. Jenkins.

To the Lords Commiſſioners of Prizes.

My Lords, *Weſtminſter, Sept.* 27. 1666.

The *Yellow Sun* of *Riga*, *Peter Paterſon* Maſter, was brought in at *Falmouth* the 28*th* of *July* laſt by two Privateers. The Depoſitions taken there *in Præparatorio*, make the Caſe very ſtrong for the Captors; for ſeveral of the Company are confeſs'd to be unfree Perſons, there is Mention of Papers hidden in the Bed-Sack, the Maſter is ſworn to have inſtructed his Company to ſay, the Ship belonged to *Riga*, and not to *Holland*; as alſo to ſpeak *Swediſh*, in order to eſcape the *Engliſh*; and that the Ship it ſelf came now from *Amſterdam*, where ſhe was fitted for the preſent Voyage, (which is to *Rochel*) and whither ſhe brought in and ſold her laſt Cargo.

But in Regard there may be ſuch juſt Exceptions made againſt the Depoſitions, as ſhall give Cauſe to lay them wholly aſide, I have cauſed the Maſter to be re-examined in the Admiralty. The Exceptions, My Lords, are, that he and his Steerſman were inhumanely tortured by Captain *Manning*'s Men, and other barbarous Cruelties acted upon them, in order to extort ſuch Confeſſions from them, as might be advantageous to theſe Takers. The Marks of his Cruelty were very freſh and viſible, when the Skipper made Oath of what he had ſuffer'd; there being Merchants preſent of Reputation, who made Oath, that the Skipper, upon his firſt coming to Town, made his Complaints, and ſhew'd his Wounds, being yet raw, unto them.

Upon this Information, I could do no leſs than decree an Attachment againſt Capt. *Manning* and his Steerſman, who acted this Cruelty; as alſo againſt the Interpreter, who aſſiſted at the taking of the Depoſitions; the Skipper being made to ſay and ſubſcribe in them, that ſince his Capture the Captain had treated him very friendly, like a Brother, and did him no Prejudice at all. What Effect, My Lords, this Decree will have, Time muſt ſhew: However, I hope my Lord High Admiral will not ſuffer ſuch Offences to go unpuniſh'd; all the Power and Malice of the Enemy being not able to faſten ſo great a Blemiſh upon the Juſtice and Reputation of his Majeſty's Arms, as theſe Men do under the Notion of Friends, and in cold Blood.

That which the Maſter upon our Examination depoſes is, that his Owners are Merchants and Magiſtrates of *Riga*, and that none of the King's Enemies hath, or ever

ever had any Intereſt in this Ship, which is now in Ballaſt, bound from *Amſterdam* to *Rochel*. That in *June* laſt he ſail'd from *Riga* to *Rochel*, to load Salt for his Owners, to be carried to *Riga*; but being driven before the Wind into the *Texel*, he was forced to unlade, and ſell his Salt, to repair his Ship that was leaky. That having repaired his Ship, he ſet out thence by Order of his Owners for *Rochel*, to load Salt again, to be carried thence to *Riga*; but was taken by theſe Privateers in his Courſe to *Rochel*. That he is a Native of *Holland*, but has lived theſe 4 Years with his Wife and Family at *Riga*, and is a Subject of the King of *Sweden*, and his Company are *Swedes*, excepting his Steerman and Carpenter, whom he confeſſes to be *Hollanders*.

Among his Papers there is a general Paſs (not in the Form of the Treaty) from the Governour of *Livonia*, for this Ship to trade into all free Places. There is likewiſe an Atteſtation from *Riga*, that the Owners had made Oath of their Property, dated in *March* laſt. There is likewiſe a Letter dated the 20*th* of *July*, from the Factor of theſe Owners to his Correſpondent at *Rochel*, wherein he deſires him to load this Ship with Salt from *Riga*, for the Owners Account, and promiſes him Payment of ſuch Bills as he, this Lader, ſhould, upon that Account, draw upon him, being at *Amſterdam*.

Thus I have given your Lordſhips an Account of the Pretenſions of the one Side, and of the other, as minutely as I can; in Regard this Buſineſs is devolved to your Lordſhips from his Majeſty in Council. But I do ſuppoſe the Privateer will inſiſt upon the Title he has to a legal Trial, which, as I humbly conceive, cannot be denied him. I am, *&c.*

L. Jenkins.

To the Lords Commiſſioners of Prizes.

My Lords, *Admiralty, Feb.* 11. 1666.

The Ship *Stetin*, brought into *Harwich*, had no other Papers on Board, as the Maſter depoſes, but a Sea-brief from the *Swediſh* Vice-Governour in *Pomerania*, dated 29*th* of *October* laſt. This Sea-brief wants that Form preſcribed in the Treaty, and ſpecifies not either the Kinds, or the Quantities of the Goods laden, or to be laden in this Ship; only, that the Owners (who are ſix Burghers of *Stetin* therein named) had made Oath of their Property in the Ship, and that ſhe was bound to Places not prohibited; that the Maſter is a Subject of *Sweden*, and that the Goods already laden, and to be laden in her, are not contraband, and do truly and really belong to *Swediſh* Subjects.

The Maſter, My Lords, in the Account which he gives upon Oath, agrees with the Paſs; and adds, that about three Months ſince there was a Cargo of Rye laden in this Ship at *Riga*, the one Moiety upon the Account of a *Stetiner*, the other Moiety upon the Account of the Ship's Owners. This Cargo being delivered at *Amſterdam*, to the Factor of theſe Laders, to be ſold there, the Factor laded her again with Deals, (the preſent Lading) for the Account of one *J. Brouw* of *Oſtend*, but in his Way thither was ſeized. The Maſter depoſes further, that the Lader of the Deals at *Amſterdam* told him, *Brouw* (the Conſignatary at *Oſtend*) purpoſed to ſend him from *Oſtend* to *London* with theſe Deals, but that the Bill of Lading he ſigned was for *Oſtend*, and no further: And that he ſigned no other, nor brought he this Bill on Shipboard.

There is no other Perſon, My Lords, examined of the Company upon Oath, ſo that the Credit of what he ſays, has at the moſt but a double Preſumption, ſlender enough to back it: The one, that theſe Deals may poſſibly be the Proceed of the Rye brought to *Amſterdam* from *Riga*; the other, that thoſe who gave him the Sea-brief, and certified that *Bona impoſita* or *imponenda*, did appear unto them --- *poſt exactam Examinationem* (for ſo the Sea-brief runs) to be of *Swediſh* Property, had an Account given them of this whole Deſign. But how far theſe Conjectures (Proof it is not, as I humbly conceive) to clear Goods that come out of an Enemies Country, ought to weigh with your Lordſhips, I ſhall not preſume to determine.

My Lords, this Maſter and Steerman were examined at *Harwich*, but very inartificially, and not at all upon Oath; which makes me humbly deſire your Lordſhips to remedy that Defect: For (as I have often taken the Liberty to obſerve unto your Lordſhips) there is no Port in *England* that hath ſo many Prizes ſent into it at *Harwich* has; yet in very many Caſes there come neither Papers nor Depoſitions thence to this Court, which is a very great Delay and Hindrance to his Majeſty's Service; ſince the Court cannot determine a Property (tho' it may make proviſional Orders) without ſome kind of Evidence in whom the Poſſeſſion was at the Time of the Seizure. I am, *&c.*

L. Jenkins.

To the KING, *and the Lords of His Majeſty's moſt Honourable Privy Council.*

May it pleaſe your Majeſty,

TOUCHING the *Biſcay* Prize, lately taken by a *Portugal* Frigate, there are three Queſtions: The firſt in Matter of Fact, the other two in Point of Law, or rather of State. The Queſtion upon the Fact is, whether this Prize was taken ſailing within thoſe Receſſes, which are commonly called your Majeſty's Chambers

THE Maſter that was taken ſays, (upon Oath) that coming on his Courſe from *London*, where he was laden for *Bilboa*, arrived, the Evening before he was taken, on the *South* Part of the Iſle of *Wight*, about half a League from the Shore; that he ſteer'd his Courſe thence *Weſt* and quarter to the *South Weſt*, the Wind being *Eaſt*, in order to ſtand as near *Portland* as he could, and ſo on to *Dartmouth*, ſtill keeping to the *Engliſh* Coaſt for fear of the *Dutch*; and that he was taken, having made about 8 or 9 Leagues forward in this Courſe, when he was about 4 Leagues off from the *Engliſh* Coaſt.

THE Taker, on the other Side, and one more of his Ship's Company, do ſwear, that they were 10 or 12 Leagues off the *Engliſh* Shore when they took this Prize; but all agree the Seizure was in miſty Weather, which allowed them no Proſpect.

HERE the Advantage in this Variation ſeems to be on the *Portugueſe* Side: For, 1. It cannot be evinced by the Account which the Merchantman gives, (ſuppoſing it to be true) that the Seizure was preciſely in your Majeſty's Chamber. For the Chamber in Queſtion being bounded with a ſtrait Line drawn from *Dunemore* in the Iſle of *Wight* to *Portland*, (according to the Account given of it to the Admiralty-Court in the Year 1604.) it grows very narrow *Weſtward*, and is ſcarce in any Place 4 Leagues broad, I mean, from any Point of this imaginary Line to the oppoſite *Engliſh* Shore. Whence it would be inferr'd, that this Man muſt needs be taken, either altogether without the Line, or elſe much nearer unto the Shore than he apprehended he was.

2. THE Buſineſs being to be decided by Oaths, here are already two *Portugueſe* againſt one *Biſcainer:* And the Captain has 6 or 7 ſcore more of his Company, who are ready (as he ſays) to affirm, as he hath done, that the Capture was at leaſt ten Leagues off the *Engliſh* Shore; and conſequently all that the *Biſcainers* can ſay of their being ſeized within your Majeſty's Chambers, will be outweighed by the Number; ſince there doth not appear any Difference to be made in their Credit.

HOWEVER the Truth be as to the Chamber, 'tis certain the Seizure was made in your Majeſty's Seas: But ſo it is, that notwithſtanding your Majeſty's undoubted Right of Dominion and Protection in theſe Seas, Strangers do hold themſelves, if not permitted, yet excuſed for ſuch Hoſtilities, when they are acted at a due Diſtance from your Majeſty's Ports, Harbours, and Chambers; grounding themſelves upon what was done and obſerved in that long War between *Spain* and the *Netherlands*.

THE Queſtion in Law is, whether this *Biſcainer*, being brought into your Majeſty's Port, ought not, upon the Account of your Majeſty's being in Amity with the Catholick King, to be reſcued from under the Power and Force of his Enemy, and *Jure poſtliminii* to be reſtored to his own?

THE Law of Nations, as 'tis this Day obſerved, ſeems not to paſs any Obligation upon your Majeſty, to impart your Royal Protection unto one Friend, to the Prejudice of another. This Captain being *Jure belli* (which is a very legal Title) in full and quiet Poſſeſſion of his Prize, (and ſo he was for a Fortnight together at *Portſmouth*, before he was diſcovered) will take it for an Act of Partiality, to have it now wreſted out of his Hands, and given to his Enemies: Whereas no Man's Condition is to be made worſe than another's, in a Place that is reputed of common Security upon the Publick Faith.

BESIDES, the *French* Ordinances do expreſly provide, that Leave be given to all Strangers to depart thoſe Ports with ſuch Prizes as they happen to bring in. 'Tis the Practice of *Spain* at this Day, and of all other Ports that I can learn any Thing of in Caſes of Neutrality.

THE laſt Queſtion is, (for I do not find any Thing material made out againſt the Validity of the *Portugueſe* Commiſſion) in the Caſe of your Majeſty's Subjects, Sir *Arthur Ingram* and the *Canary* Company, to whom a third Part of the Lading belongs, whether their Goods ſhall be Prize in this *Spaniſh* Bottom?

'TIS certain they are relievable upon the general Law; and whatever became of the *Biſcainer*, the *Engliſh* Goods might, and ought to be taken out, and reſtored to the Owners. But there is a Treaty with *Portugal* made in the late Uſurper's Time, ratified

fied by your Majeſty, which ſeems to ſuperſede that Law, and to make the *Engliſh* Goods a lawful Prize to the Taker. But I am taught, that your Majeſty's Treaties with Foreign Nations are not to be any Part of our Speculation or Debate in the Court of Admiralty, but to be interpreted by your Majeſty's own Royal Judgment, with the Advice of your moſt Honourable Privy Council.

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Jan.* 5. 1679-80.

HAVING received your Majeſty's gracious Pleaſure, that I ſhould enquire into the Matter, complained of in the Memorial of the Ambaſſador of the States General, hereto annexed, and report the State of it to your Majeſty, together with my humble Opinion what is fit to be done in it; I writ into *Ireland* about it, and on *Saturday* laſt had an Account from the Judge of your Majeſty's Court of Admiralty at *Dublin*, and from his Regiſter, which agrees in Subſtance, as to the Matter of Fact, with what is ſuggeſted in the ſaid Memorial.

THE Caſe is thus: A *French* Privateer, in the Month of *July* 1677, took a *Dutch* Veſſel, called the *Salmon of Edam*, as it was returning from the Whale Fiſhing, and brought her into the Port of *Yonghall* in *Ireland*; all her Men having, it ſeems, forſaken her, and ſaved themſelves, being not far from the Fiſhing Coaſt, in the Long Boat, before the Privateer ſeized her. The Privateer having brought her into *Ireland*, ſold her Lading, which is ſaid to be the Product of 4 Whales, and afterwards ſold the Ship it ſelf to one *Galway*, a Merchant of *Yonghall*, who hath ſince been at Charges to repair the Ship, and had laded her for a Voyage, but the Voyage did not hold; and the Ship hath been ever ſince in *Yonghall* Port.

THE Privateer, it ſeems, to give a better Colour to his Sale, pray'd the Aid of the Court of Admiralty in *Ireland*, and obtaining Proceedings there againſt the Ship, it was condemn'd to the Moſt Chriſtian King; there being no Party that appeared in Judgment to claim the Ship, or that took Exceptions to the Proceedings of the Court.

AFTER Condemnation, and Sale made of the Ship and Lading, the Owners in *Holland* coming to have Notice the Ship was bought up, gave Order to an Agent of theirs to claim her; upon which ſome Proceedings were begun in the Admiralty, in order to get her reſtored; but the Agent ceaſed Proceedings there, and applied himſelf to his Grace the Lord Lieutenant, and to your Majeſty's Privy Council of *Ireland*, where the Cauſe, as I am informed, ſtands for Hearing the firſt Council Day.

HIS Excellency the Ambaſſador Extraordinary of the States General, in his Memorial, lays a Streſs in this Caſe upon two Points in the Behalf of the Claimer.

THE one is, that at the Time that the Privateer took this Whale Fiſher, there was a Ceſſation of Hoſtilities agreed between the Moſt Chriſtian King and the States General, limited to the Liberty and Security of the Fiſheries on both Sides; and conſequently that the taking of this Ship, tho' by an Enemy, was illegal and void.

ANOTHER Thing is, that the Proceedings had in the Admiralty, and the Sale made within your Majeſty's Dominions of the Ship and Goods, is directly contrary to your Majeſty's Treaty at *Breda* in the Year 1667, with the States General, in the 21 *ſt* Article of which Treaty it is provided to this Effect:

" THAT it ſhall not be lawful for any Foreign private Men of War, who are " not Subjects to your Majeſty, or to the States General, having Commiſſion from " any other Prince or State, to equip their Ships, nor to ſell or ſet at Ranſom ſuch " Prizes as they may have taken, nor in any other Way to truck or exchange their " Ships, Merchandizes, or any other Sort of Lading whatſoever, in any the Ports " either of your Majeſty, or of the States General. Nor for ſuch private Men of " War to buy themſelves ſo much as Victuals in ſuch neuter Ports, other than " what ſhall be neceſſary to bring them to the next Port of that Prince, from " whom they have their Commiſſions; and if perchance any of your Majeſty's Sub- " jects ſhall, by Exchange, or any other Way, buy or get any Ship or Goods, that " ſhall have been taken from the Subjects of the States, in that caſe ſuch Subject ſhall " be bound to reſtore them to the Proprietors of the ſame without Delay; and " without any Compenſation or Reimburſement of the Money either paid or pro- " miſed for ſuch Ship or Goods; provided that Proof be made before your Majeſty's " Council, that the Claimers are right Owners and Proprietors of what they ſhall " ſo claim."

THUS the 21 *ſt* Article; and the Obligation is in the ſame Terms reciprocal upon the States General.

AS to the firſt of theſe Points, which is the Ceſſation of Hoſtilities between *France* and the United Provinces, I do not, under Correction, ſee, that it is a Thing that your

your Majeſty's Subjects are under any Obligation to be acquainted with, or to govern themſelves by, it being a Thing whereunto your Majeſty was no Party; and conſequently, that alters not the Caſe of your Majeſty's Subjects in their Commerce, (where it is otherwiſe legal) either with *French* or *Dutch*.

But as to the 21*ſt* Article of the Treaty of *Breda*, I do humbly conceive it is otherwiſe, and all your Majeſty's Subjects are bound to take Notice of it, and are concluded by it: And it was therefore an Error to lend, or interpoſe your Majeſty's Authority in a Judicial Way to the condemning of this Ship; ſo it was to buy either the Ship or the Lading of it, either before or after Sentence of Condemnation: For this is clearly forbidden by the expreſs Diſpoſition of this Article. Beſides, ſuch Proceedings are contrary to a fundamental Maxim of Neutrality; for a neuter Prince being in Peace when his Neighbours are at War, ought not to make the Condition of one Neighbour better than that of another; as here the *Frenchman* has the Help and Benefit of a Court of Law, and an open free Market for his Prize; which is as great a Privilege as any of your Majeſty's Subjects might have pretended to under your Majeſty's own Commiſſion, and in your own Service and juſt Wars. The Article is expreſs how far our Commerce is allowed with thoſe who ſail under Foreign Commiſſions of War: It is, to let them have for their Money, what Proviſions are neceſſary to bring them to the firſt Port of thoſe they ſerve under; and we can legally do no more.

Upon the whole, I cannot but ſay (yet it is with perfect Submiſſion to better Judgments) that this Claimer hath a Right to demand and inſiſt, that the Sentence whereby his Ship was condemned, be reverſed; and that the Ship it ſelf, and all the Lading that can be found out, be reſtored to him. For the reverſing of the Sentence, I humbly conceive it may be legally done. But how the Purchaſer may be by due Courſe of Law outed of his preſent Poſſeſſion, I do not ſee; for 'tis more than probable, the Bargain was made between the Buyer and the Privateer on the Land; and conſequently, the Cogniſance of the Validity of it will be prohibited to the Admiralty; and if a Verdict at Common Law ſhould find this Sale to be a good Sale, and to have well transferr'd the Property to the Buyer, this Claimer would be without Remedy; yet the Inexecution of the Treaty would in this Point be reputed by the *Hollander* a Breach of it on our Side, and may be, for ought I know, run up as high as to Repriſals againſt us. But theſe miſchievous Conſequences his Grace my Lord Lieutenant, by his high Wiſdom, will be able, as ſoon as he is informed of all Particulars, to prevent, and procure Satisfaction to the Claimer. All which I ſubmit to your Majeſty's Royal Wiſdom.

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Feb.* 11. 1679-80.

Having, in Obedience to your Majeſty's gracious Order in Council, view'd the Proceedings had in the Court of Admiralty touching Captain *Gallop*, and the Gold alledged to have been taken by him in an *Holland* Ship, which he ſeized as Prize in the laſt War with the *Dutch*; I do find that I gave a final Sentence in this Cauſe, all Parties being preſent in Judgment, upon the 11*th* of *March* 1674, to this Effect:

"That the Ship, her Tackle, and Furniture, and all the Goods, Wares, and "Merchandiſe ſeized in the ſame, except the Negroes, ſhould ſtand con- "demned as lawful Prize to your Majeſty.

"That all the Negroes in the Ship being upon the Quarter Deck, ſhould, by "virtue of the Act of Parliament for Encouragement of Seamen, be ſhared "and divided between Captain *Gallop* and his Company.

From this * Sentence I find there hath been a double Appeal: The one by your Majeſty's Proctor, for that I had adjudged the Negroes on Board to Captain *Gallop* and the Takers, and not to your Majeſty: The other Appeal was by Captain *Gallop* and the Takers themſelves, for that I had adjudged the Ship, and all that was in her, (the Negroes excepted) as lawful Prize to your Majeſty, without adjudging any Share to them in the Ship, and the Remainder of the Lading.

This Cauſe being thus appealed, was brought before the Lords Commiſſioners of Appeals in *December* 1675; and their Lordſhips having heard that Part of it that concerned the Negroes, their Lordſhips were pleaſed to affirm the Adjudication of them to the Takers. The other Part, which concerns the Remainder of the Goods in the Ship, and conſequently the Gold in Queſtion, is not yet heard by the Lords Commiſſioners: But the hearing and determining of it belongs ſolely to their Lordſhips, the Cauſe being removed from me by Appeal, and now depending in a Superiour Court:

* See before pag. 706.

Court: So that 'tis in that Court, and not in the Admiralty, that the Complainants are to ſeek for Redreſs. All which I humbly ſubmit to your Majeſty's Royal Wiſdom.

L. Jenkins.

To the Right Honourable the Lords of his Majeſty's moſt Honourable Privy Council, appointed a Committee for his Majeſty's Plantations.

MY LORDS, *Dec.* 1. 1668.

THE Affair of St. *Chriſtopher*'s, (whereof I am in Obedience to your Lordſhips now to give an Account) ſeems to reſolve it ſelf into theſe following Enquiries:

Firſt, WHETHER the *French* Inſtruments of Ceſſion, and the Moſt Chriſtian King's Diſpatches and Orders for the reſtoring of his Majeſty's Part of that Iſland, be valid and ſufficient?

I cannot ſay, MY LORDS, but that the Inſtrument of Ceſſion is full enough, and agreeable to the beſt Legal Forms now current in *France* and *Italy*. Of the Diſpatches, there is this Account to be given.

IN the *firſt*, dated *Aug.* 28. 1667. the Order for Reſtitution was full and clear, without any Proviſo or Condition, yet it obtained not the Effect expected. The Pretence was, that the Commander in Chief, M. *de la Barre*, was out of the Way when my Lord *Willoughby* made his Demand: But it ſeems that was not all; for when Colonel *Lambert* made the ſame Demand about two Months after, at *Midſummer* laſt, M. *de la Barre* made the very ſame Difficulties and Demands that the *French* Ambaſſador now makes in his laſt Memorial.

IN the *ſecond* Diſpatch, dated 17*th* of *July* laſt, the Moſt Chriſtian King does (upon his Majeſty's Letter) bewail the Diſappointment to my Lord *Willoughby* in very paſſionate Language, both as it reflected upon the Honour of a Prince, tender of nothing ſo much as of his Word; and as it appeared to be a Diſſatisfaction to our moſt gracious Soveraign; and (to make Amends) the *French* Governour is commanded, whether M. *de la Barre* be in the Way or not, to deliver up his Part to his Majeſty, all Delays and Pretences whatſoever laid aſide, under Pain of Diſobedience and Rebellion. This Diſpatch likewiſe (in all Probability) obtains no Effect: For M. *de Lyonne* adviſes my Lord St. *Albans*, that it was deſired in the *French* Court, that this Diſpatch ſhould not be ſent away hence: M. *de la Barre* having been written to, to govern himſelf as M. *Colbert* ſhould direct from hence, and not according to theſe Orders.

THE laſt Diſpatch, dated 31*ſt* of *October* laſt, varies from the Tenour of both the former; for it ſuppoſes the Word *Habitations* to be within the Intendment of the 8*th* Article; and conſequently, that the *French* bought the *Engliſh* Houſes and Lands, as well as their Stocks and Moveables. And then it takes for granted, that M. *Colbert* has ſatisfied his Majeſty, that the *Engliſh* are not to be reſtored to their Plantations, till they do reimburſe the *French* of their Demands. So that this Diſpatch being compared with the Ambaſſador's Memorial, promiſes no great Effect.

FOR the Ambaſſador deſires, 1. That the *French*, who ſhall become Subjects to this Crown, may be treated in all Reſpects as *Engliſh*. 2. That they be not in the leaſt diſturbed in their Poſſeſſions, till we pay them back their Purchaſe Money. 3. That we give them Content (that is the Word, which cannot imply leſs than good Security) in the Demands they make for Improvements. 4. That his Majeſty would pleaſe to prefix a Day, within which the *Engliſh* ſhall be bound to reimburſe the *French*; and in Default of doing ſo, the *Engliſh* to be declared for ever uncapable of being reſtored to their own: This implies, that very much is expected to be done on our Part, before the *French* do any Thing on theirs; as if the 8*th* Article were a neceſſary Condition antecedent to the Performance of the 7*th*, which is not only diſtant from the Senſe of the Article, but contrary to the Tenor of this and all other Treaties. And tho' the King's Letter mentions no more but the Reimburſement of the Purchaſe Money, yet it is with a *bien entendre*, that this muſt be done effectually, before the *Engliſh* be reſtored to their Poſſeſſions.

ANOTHER Enquiry is, whether the Word *Bona* comprehends Lands and Houſes as well as Stock, and thoſe Moveables which we call a Perſonal Eſtate?

IT cannot be denied, MY LORDS, but that the Word *Bona*, in the *Roman* Civil Law, as alſo in the preſent Laws and Cuſtoms of the *French*, comprehends both the one and the other in many Caſes; tho' in this Caſe it does not, as may be evinced by ſeveral Arguments.

Firſt, IN this Treaty with the *Dutch* and the *Dane* at *Breda*, the Clauſes and Proviſo's concerning Lands and Immoveables on the one Side, and concerning Goods and Moveables on the other, are ſtill diſtinct and ſeparate, as Things oppoſite in their Notion.

Notion. For inſtance, in the Treaty with the *Dutch*, the Right of all Lands, Towns, Forts, Places, and Colonies, is, in the 3*d* and 6*th* Articles, ſettled one Way; and in the 4*th* and 7*th*, that of *Bona cuncta mobilia*, another Way: Juſt ſo it is with *Denmark* in the 5*th*, their Moveables, *Quicquid Bonorum*, fall under one Proviſion, and in the 6*th*, their Territories under another: 'Tis ſo in the elaborate Treaty of the *Pyrenees* 1659. For Moveables, *des Debts*, *Merchantdizes*, *Effects*, *&* *Meubles*, it has diſtinct Articles, the 22*d* and 29*th*, but nothing moveable mingles in thoſe other Articles that do ſettle Lands, Territories, and real Eſtates. So it is in the Treaty of *Chaſteau Cambreſis*, and ſeveral others. The Territory therefore and Soveraignty of St. *Chriſtophers*, being the Subject Matter of the 7*th* Article of the Treaty with *France*, the Word *Bona*, in the following Article, (in this Treaty as well as in the others) muſt mean Moveables and nothing elſe; for the *Forma Communis* muſt needs in Conſtruction of Law be here intended and obſerved, ſince the Variation from it is not expreſſed. And it cannot be well imagined, that the Word *Bona* ſhould ſignify one Thing to the *Dutch* and *Dane*, and another Thing to the *French*, where both the Subject Matter of the Debate, and the Perſons treated with by the three Parties, were the very ſame: From theſe Concurrences, the Law raiſes, *validiſſimam conjecturam*, and a full Light wherewithal to clear the Ambiguity.

Secondly, The Caſe of the *Engliſh* is extreamly favourable, 'tis to be reſtored to their own by a ſacred Compact. And the Word Reſtitution is ſo favourable, that when a heinous Malefactor hath it in his Pardon from his Prince, it does not only take off his Puniſhment, but alſo reſtore him to his good Name, Honours, and Eſtate: Much more then ſhall thoſe that are reſtored, *ex debito Juſtitiæ*, recover every Thing that the Treaty does not in very clear and expreſs Terms deny them.

Thirdly, The Civilians and Feudiſts do hold, that Lands held by ſuch Tenures and Services, as the *Engliſh* held theirs in this Iſland, are not comprehended under the Word *Bona*; and in this very Caſe, when they ſay, (and 'tis a very common Saying) *Bona in bello capta cedunt occupanti*, they muſt mean Moveables only; the Lands and Houſes going another Way, that is, to the Conqueror.

Fourthly, By the ſixth Article of War, upon the Surrender to the *French*, the *Engliſh* had Power to diſpoſe of their Immoveables, and to carry away their Moveables, excepting Negroes and Cattle, 'tis clear they could diſpoſe of no more than what the Treaty gave them leave to do, all the reſt being devolved to the *French Jure Belli*; therefore, ſince they had not Power granted them to diſpoſe of their *Fonds*, *Maiſons*, and Heritages, their Houſes and Lands did not paſs. The Word *Immeubles*, when oppoſed to *Meubles* in the *French* Laws, ſignifies no more than what we call Chattels real, Parcels of the Freehold, and *Choſes* in Action, here in *England*.

But if it be urged, that the *Engliſh* have made over, not only their Moveables, but their Lands and Houſes, to the *French* by firm Conveyances, it is humbly conceived, that whatever thoſe Contracts were, they are not to be meaſured and expounded by the Treaty. Beſides, theſe Conveyances were ſome of them void, as being forced by Threats and Terrors; ſome of them voidable, as being under half the real Value, and ſome of them utterly feigned and falſe. An Inſtance whereof is given in Captain *Freeman*, who was before your Lordſhips the other Day. He paſs'd away his Eſtate to M. *des Chambers*, Director of the *Weſt-India* Company, for 40,000 Sugars, that is, about 400*l.* Sterling: His Eſtate was worth 1000*l.* a Year, and 'tis ſet down in the Contract, that he has received all theſe Sugars; yet he utterly denies the receiving of one Penny Value. Nay, that he was forced to pay 20,000 Sugars for a Boat to this Purchaſer, to carry himſelf and his Family.

A *Third* Queſtion is, whether the *French* are bound to repair his Majeſty's three Forts, that they have demoliſh'd, ſince the publiſhing of the Peace?

There is no expreſs Proviſion, My Lords, in the 7*th* Article, about rendring the Forts to his Majeſty. But in Caſe the *French* (with whom the *Engliſh* are to be taken *Pari paſſu*) had been beaten out of the Iſland, the Rule given to the *Engliſh* was, *Nihilominùs in eum Statum reſtituantur Galli, in quo initio anni* 1665 *erant.* And the *Dutch* ſtipulating to ſurrender Forts among other Things, in Caſe they ſhould take them after the 10*th* of *May*, do promiſe that *bonâ fide in eodem planè ſtatu confeſtim reſtituentur quo tum temporis reperientur, quandocunque de inſtauratâ Pace in iiſdem Locis conſtabit.* And when Forts are to be rendred, they muſt not be demoliſh'd Places; for in interpreting of Treaties, the Rule is *Verba artis* (as a Fort is) *ſecundum artem intelligenda ſunt.*

A *Fourth* Enquiry is, concerning the Improvements and the Coſts, which the *French* are ſaid to be at upon the Plantations.

What

What the Ambaſſador's Memorial hath, of all Laws and all Nations allowing for neceſſary Expences and Improvements, is under Favour to be underſtood, when the Poſſeſſor is in *Bonâ fide*; but if he be *malæ fidei poſſeſſor*, an Uſurper ſolemnly denounced againſt, yet continuing his Uſurpation by Force of Arms, he ſhall be ſo far from recovering his layings out, that he ſhall account for the Profits he hath received to a Farthing; but putting the Caſe, that the *French* had been all this while in *bonâ fide*, as they were, till my Lord *Willoughby* ſummoned them; yet when their Demands are not liquid, the Law allows them not to detain the Thing improved; they muſt accept of Security, to be reimburſed of what ſhall appear to be juſtly due. This was offered the *French* by Colonel *Lambert*, when he made his Demand in *June* laſt; but it was not accepted.

Besides, in Purchaſes that are ſubject to Reſtitution, by that which the *French* call *Retraict Lignager*, the Buyer is expreſly forbidden in *France* to lay out any more, or other Charges in building or repairing, than are purely and abſolutely neceſſary, within the Year and the Day allowed to the next of Kin to come in. The Reaſon is, that the Purchaſer may not, by Expences unneceſſarily laid out, render the Recovery of the Thing more difficult to the Family. The Reſtitution of the *Engliſh* in this Caſe is no leſs favourable: Therefore whatever the *French* have laid out ſince the Knowledge of the Treaty, upon Pretence of Improvements, they have laid out in their own Wrong, and by the Equity of Law are precluded, and have no Colour to demand any Account, Satisfaction, or Reimburſement from the *Engliſh*.

The extravagant Demand, My Lords, of almoſt 7000 *l.* Sterling for Food and Neceſſaries to the *Engliſh* Priſoners, and of 800 *l.* for Chirurgeons about them, needs not, as I conceive, any Anſwer, till it be known what Reparations the *Engliſh* are like to have, for the Waſt, the Spoil, the Demolition, acted upon their Plantations ſince the Peace.

So that, My Lords, upon the whole Matter, the true and honeſt Meaning of the Treaty being, that the Moſt Chriſtian King on his Part, do forthwith order his Subjects to quit all the Plantations they are poſſeſs'd of, and to leave the *Engliſh* Part entirely to the *Engliſh*; and that his Majeſty, on the other Side, do not ſuffer the *Engliſh* to lay Claim to their own Cattle, Slaves, or other Goods, unleſs they do firſt lay down the Money or Value, for which they formerly ſold them; but that the *French* be at Liberty to carry them away, or otherwiſe diſpoſe of them as their own: If the *French* have made any Improvements before Notice of the Peace, they ought to be reimburſed; if they have done us any Damages ſince, they ought to repair them. This I hope will be done, and nothing leſs than this can be done, if the *French* do, as the Moſt Chriſtian King in his two firſt Diſpatches directs, proceed *ſincerement & en bonne foy*. But as to the particular Demands of Diſburſements for Meliorations, and for Priſoners on their Side, and the Demands of Reparations for Waſt, Spoil, and utter Demolition on our Side, they muſt, as I humbly conceive, be left to Commiſſioners, to be adjuſted upon the Place. All which I do moſt humbly ſubmit to your Lordſhip's high Wiſdom.

To the KING.

May it pleaſe your Majeſty, *Jan.* 9. 1674.

In the Caſe of the two *Powtrells* of *Derbyſhire*, Minors, now at School at St. *Omer*, I thought it my Duty, before I preſumed to trouble your Majeſty with any Account of it, to inform my ſelf of the Proceedings had at *Litchfield*, where the Adminiſtration of the deceaſed Mother's Eſtate was committed to Mr. *Stanford*, the Perſon excepted againſt by Mr. *Braylesford*, in his Petition to your Majeſty. The Exceptions are three: 1. That he (Mr. *Stanford*) is not reſponſible for ſo great an Eſtate. 2. That he hath ſurprized the Eccleſiaſtical Court at *Litchfield*, by untrue Suggeſtions. 3. That he deſigns to make a Prey of this Eſtate, and to run away with the Profits of it. How well grounded the firſt and laſt of theſe Exceptions are, I have had no Means or Opportunity to inform my ſelf, ſo as to be able to ſatisfie your Majeſty. As to the 2 *d*, *viz.* the Suggeſtion of Mr. *Stanford* to the Chancellor of *Litchfield*; it was, as appears by the Acts of Court, in theſe Words: *viz.* That *Frances Powtrell*, the Mother of the Minors, had appointed and ordained in her Life-time . . . . . Upon this Suggeſtion, the Chancellor of *Litchfield* granted Letters of Adminiſtration to Mr. *Stanford*, of the deceaſed Mother's Eſtate, for the Uſe and Benefit of her two Sons now at St. *Omer*, and of a Daughter between 11 and 12 Years old at Home, during their Minority. He granted him likewiſe Letters of Tuition

over theſe three Children while they ſhould be under Age, and took Mr. *Stanford*'s ſingle Bond of 800 *l.* Penalty, for his due performing theſe Truſts.

It is, I humbly conceive, a juſt Exception againſt the Proceedings at *Litchfield*, that the Chancellor there did not require Proof upon Oath, of what Mr. *Stanford* ſuggeſted to have been the Deſire and Appointment of the Mother; ſince the Uncle, and next of Kin, was by this Suggeſtion excluded from the Truſt, and a remote Kinſman preferr'd, with a Prejudice, and without hearing him, either for himſelf, or for the Minors.

Another Exception is, that Mr. *Stanford*'s ſingle Bond was taken, for the due adminiſtring and rendering Account, which is never done in the Superiour Courts here: Sureties of known Sufficiency being always required to enter into Bond, together with the Adminiſtrator. Mr. *Brayleſford* further adds, (and it is of great Moment if it ſhould prove to be true) that there were no leſs than 650 *l.* of the deceaſed's Eſtate quite left out of the Inventory given in at *Litchfield*, when the Letters of Adminiſtration were iſſued out; ſo that the Inventory ſhould have been, not as it is now given in 424 *l.* but 1074 *l.* and conſequently the Security ſhould have been double to this laſt Value: Beſides that, there is ſuggeſted to be a real Eſtate of 600 *l.* *per Annum* that goes along with this Tuition.

The Deceaſed having left no *Bona Notabilia*, the Prerogative Court of *Canterbury* (where I have the Honour to ſerve your Majeſty) hath no Juriſdiction in the Cauſe; ſo that the Remedy of this Prejudice to theſe Minors, will belong to your Majeſty's Dean of the Arches by way of Appeal, which, ſuppoſing the Matter of Fact to be as above, will lie very juſtly from the Proceedings had at *Litchfield*. If the Daughter now at Home (and it ſeems with Mr. *Stanford*) were at Liberty, and would deſire Mr. *Brayleſford* to be aſſigned for her Guardian, he would be then qualified forthwith to Appeal, and to get the Adminiſtration reverſed, and committed to himſelf as next of Kin; but if ſhe do not, there will be no Legal Remedy, till the Sons at St. *Omer*'s do come Home, and chooſe him, or ſome other, as they think fit, for their Guardian, in order to reverſe the Grant made to Mr. *Stanford* of this Adminiſtration.

I think it my Duty humbly to obſerve to your Majeſty, that Mr. *Brayleſford* and Mr. *Stanford* being both of them, as I am informed, Recuſants, (but not convict, which would make them by the Statute 3 *Jac. cap.* 5. uncapable of the Truſt of Adminiſtration or Tuition) the Contention here is not, whether theſe Children ſhall be fetch'd from St. *Omer*'s, and brought up in the Profeſſion and Communion of the Church of *England*; but only, which of theſe two Perſons ſhall be intruſted with the Management of this Eſtate during the Minority? Which I humbly take Leave to mention, that your Majeſty's gracious Letters of Privy Seal, if they ſhould be granted, for the recalling of theſe Minors, may not be made Uſe of to ſerve a Turn only, but may alſo have ſome good Influence upon the diſpoſing of theſe Minors as to their future Education.

L. Jenkins.

To the Right Honourable the Earl of Arlington.

My moſt Honoured Lord, *May* 18. 1672.

THE Liſt of *Hamburgh* Ships which I had the Honour to receive, together with your Lordſhip's Commands from Sir *Joſeph Williamſon*, conſiſts of 208 Sails. The Laſtage of all which makes up (as I compute it) 42,472 of our Tuns. The Liſt given in the laſt War was 261 Sail. Their Tunnage is not to be computed, becauſe many Veſſels are therein ſpecified, without ſetting down their Tunnage.

This Liſt, as that in the former War, have the ſame Preliminaries: 1. That ſuch of their Ships as are now Abroad, ſhall be added to the Liſts as ſoon as they come Home. 2. That ſome of their *Greenland* Ships have no Maſters at preſent, but when any ſhall be appointed, their Names ſhall be ſpecified to his Majeſty's Reſident at *Hamburgh*. 3. That if the *Hamburghers* happen to buy or build any Ship for themſelves in neutral Ports and Places during this War, they will add them to the Liſt; and ſo when any of the preſent Skippers die, they'll give in the Names of the new ones. 4. They pray that ſuch of the Duke of *Holſtein*'s Subjects as live in the Iſle of *Helligland*, and are Maſters of *Hamburgh* Ships, may paſs for Neuters, being his Majeſty is in Amity with that Prince, and that ſuch Skippers are ſtill ſworn to the Senate of *Hamburgh*.

This, My Lord, is ſaid and deſired on the Senate's Behalf, but I do not find it any where undertaken by them, that the Ships in this new Liſt did (all of them) *bonâ fide* belong to that City before the Rupture was in View; nor that they have not,

nor

nor will not, during this War, receive any *Holland* Skippers to be Burghers or Inhabitants with them, in Order to ſail under their Paſſports.

And tho', My Lord, the *Holland* Skippers be excluded all Intereſt in the *Hamburgh* Bottoms, yet their Trade, I fear, will be carried on conſiderably in that Town; for, My Lord, Sir *W. Swan* ſent your Lordſhip a Liſt of all the *Hamburgher* Traders (whereof I had by your Lordſhip's wonted Condeſcenſions a Copy) the laſt War, they were 378 in all that traded to Sea, and 186 (almoſt the one half) were taken and reputed by Sir *W. Swan*, to trade either in Partnerſhip with, or elſe by Commiſſions from the *Hollanders*.

Besides this Liſt, My Lord, I received three ſeveral Memorials of the *Hamburgh* Reſidents from Sir *J. Williamſon*. To that for the Neutrality in the *Elbe*, I ſhall not pretend to underſtand his Majeſty's Intereſt in that Trade, ſo as to offer any Remark of my own; unleſs your Lordſhip will give me leave to ſay, that it is no Wonder the *Hollanders* readily agreed to a Neutrality in that River, and his Majeſty refuſed it the laſt War: For ſuppoſing the *Elbe* free from *Hamburgh* to the Mouth of it, the whole Trade to the *Low-Countries* over the Walls is perfectly ſecured within thoſe *Detours*: And they need not at all expoſe themſelves to the open Sea, as we muſt with every Thing we bring from the River; beſides, My Lord, I do not know, whether the Company, who has, if I miſtake not, a Soveraignty in that Stream; and the Neighbour Princes on both Sides, who have their *Droits* in it, have not a juſt Intereſt that all Conceſſions of our King be not a Prejudice to their reſpective Rights in the River.

Another of their Memorials is, to beſeech his Majeſty to remit ſomething of the Rigour of a Report that I had the Honour to give of Captain *Green*'s Loſs in the burning of the Ships at *Hamburgh*. My Lord, I did reduce the Demands of Captain *Green*'s Widow from 3640*l.* 0, 0, to 1789*l.* Whereof I was humbly of Opinion, that 811*l.* and no more, ſhould be paid to *Green*'s Widow, and 977*l.* ſhould be depoſited to pay the poor Mariners that had ſerved under Captain *Green*. This Report, My Lord, the Lords Committees of the Council were pleaſed to confirm, after their Lordſhips had heard all Exceptions againſt it; and the true Amount of the Capital Loſs being but 811*l.* as to *Green*'s Part, I do not know, My Lord, how any Thing can be remitted, if the Widow may have the Benefit of his Majeſty's Order for Reparation.

His Majeſty may, if he think fit, reſpite the bringing in of that Sum of 977*l.* which I intended for Reparation to the Mariners in their Wages, and private Adventures, till they do liquidate their reſpective Loſſes; but then, My Lords, the Reſident will, I hope, make no Difficulty to bring two Merchants, that ſhall ſtipulate to pay what ſhall be found upon due Proof.

The third Memorial is, that his Majeſty would be pleaſed to excuſe the *Hamburghers* from paying *6 per Cent.* Intereſt for the Capital Loſs. The Reaſon they give is, that this Loſs was through their Misfortune only, and without their Fault. It has not been my Buſineſs to enquire into the Merits of that Action. I was limited to *audit* and ſtate the *Quantum* of the Loſs only. Sure I am, his Majeſty has declared them to be in the Fault; and if ſo, the Law gives this Intereſt of *6 per Cent.* to the Loſers.

They further deſire his Majeſty would excuſe them from Coſts of Suit in this Cauſe, for that they did not begin the Suit, but that the *Engliſh* Merchants were Plantiffs, and put them to this Courſe of Law. This I humbly conceive is contrary to the Courſe of all Courts, for where a Creditor is put to ſue his Debtor at Law, he muſt recover his Coſts as well as his Debts; but I ſhall take leave to tax the Coſts with all juſt Moderation.

The Reſidents, My Lord, do further ſpeak themſelves very deſirous to have this Affair liquidated and brought to a Period: The Merchants on the other Side produce Letters, and offer Oaths, to make out that the *Hamburghers* had hindred them, by ſecret Arts and Means, to ſpeed their Commiſſions, and examine their Witneſſes beyond the Seas; 'tis not uſual, My Lord, that thoſe who hope to receive Money, (as the Merchants do) ſhould delay the Suit, that is to open their Way to it; this is certain, My Lord, that the Commiſſion which ſhould have been ſped in *October* laſt for the Merchants, was not brought till yeſterday to this Court. However, it ſhall not ſtick (God willing) in my Hand at all. I am, My Lord, *&c.*

L. Jenkins.

To the KING, and the Lords of His Majeſty's moſt Honourable Privy Council.

May it pleaſe your Majeſty,

THE Claim of Sir *Ralph Wilſon*, and other *Iriſh* Merchants, (whereof I am in Obedience to your Majeſty's moſt gracious Order to give an Account) was at the hearing in the Court of Admiralty, fully juſtified to be real, and upon their own proper Accounts. The 522 Barrels of Beef which they claim, being laden in *November* laſt on Board a *French* Ship (called the *Charitie* of *Diep*) at *Limerick*, to be carried to *Rochell* upon their Riſque and Account, as was made out, not only by comparing the true Bills of Lading in their Names, with the coloured ones, which made ſhew of a *French* Intereſt, but alſo by the Oaths, partly of the reſpective Claimers, ſworn before the Lord Mayor of *Dublin*, and partly of other Perſons examined here, who were not interreſs'd at all in this Lading.

YET there was one Thing fatal in their Caſe; the Maſter, who was a *Frenchman*, after his Diſpatch at *Limerick*, as he was falling down that River, took aboard him three *Hollanders*, who being Priſoners to your Majeſty at *Kingſale*, had made their Eſcape, and hid themſelves in the Woods, till this Maſter, without the Conſent or Knowledge of his Freighters, took them on Board.

THIS Act of the Maſter brought this Ship and the reſt of the Lading (which belonged to the *French*) unto Condemnation, as having directly fallen under the Letter of your Majeſty's Declaration of the 22*d* of *February*, 1664. but I could not conceive, that the Concerns of your Majeſty's Subjects were to be involved in the ſame Sentence, but rather that they were to be permitted by their Petition to implore your Majeſty's Royal Clemency and Indulgence in this Caſe; ſince that Declaration was (as I humbly conceive) intended to affect your Majeſty's Enemies only, and ſuch as ſhould ſuccour or entertain them; but not to prejudice your Majeſty's good People, who are forced, by the preſent Difficulties, to trade in foreign Bottoms, and under ſeveral Diſguiſes, for their own Preſervation.

THE Mention of that Clauſe, touching unfree Perſons, in your Majeſty's Declaration, obliges me moſt humbly to acquaint your Majeſty with one Thing, which occurs to me very frequently in the Admiralty.

IN the many Ships that were brought up, as they paſs to and from *Spain*, *Portugal*, *Flanders*, *Swede*, and the *Hanſe*-Towns, there is moſt commonly one of the Subjects of the States deprehended among the Ship's Company, and yet ſeldom more than one that is diſcovered: The Reaſon I ſuppoſe is, leaſt a Number of them ſhould bring the Ship to Confiſcation; and I perceive the Freight of Shipping is raiſed among the Neutrals in this War, to the exceſſive Rate it is now at, not only becauſe of the more than ordinary Riſques at Sea, but alſo becauſe of the Scarceneſs of free Mariners, as well as of free Bottoms. The *Hollanders*, on the other Side, are not capable of gaining a Livelihood abroad, ſince no free Ships do dare to entertain them: So that what I would humbly offer to your Majeſty's Conſideration is, whether the Numbers of the Enemy in their Men of War, do not receive a conſiderable Addition from the Neceſſity which confines the Seamen to their own Country? and conſequently, whether ſome further Liberties to Neuters in this Caſe, would not invite the *Hollanders* to look abroad, and tempt them to decline a Service of much Hazard and ſo little Advantage, as is that of the *French* and of their own Superiours? Not to mention, that *Flanders* and other Places ſetting up for a much greater Trade than formerly they had, will be forced to breed up Seamen (ſince they cannot hire them) in Proportion.

IF your Majeſty ſhould judge a Relaxation in this Caſe, likely to withdraw any Numbers worth the while from the Enemies Service, it will not, I do humbly conceive, be needful in the leaſt, that your Majeſty ſhould retract this Clauſe in the Declaration, but only interpoſe your Royal Explication of it to the Admiralty; determining what Number of unfree Perſons (whether the one half, or two thirds in Proportion to the Equipage) ſhall affect a free Ship. The Notice of this will ſufficiently diſperſe it ſelf to all Merchants, Factors, and Skippers concerned, that if this Method can produce that Effect, it will not need any further Publication. All which I do humbly ſubmit to your Majeſty's Royal Wiſdom.

L. Jenkins.

May

May it pleaſe your Majeſty,

WHEREAS the Streſs of ſome *Swediſh* Affairs in *Scotland* is laid upon the Practice of the High Court of Admiralty of *England*, if they condemned *Swediſh* Ships for having formerly Enemies Goods, and have been ſeized with the Product before they returned to *Sweden*; it is the Reſident of *Sweden*'s moſt humble Requeſt, that your Majeſty will be pleaſed to order Dr. *Jenkins*, your Majeſty's Judge of the High Court of Admiralty, that he deliver the ſaid Reſident his Opinion thereof.

London, Jan. 13. 1667-8. *W. Bleyenbergh.*

Whitehall, Jan. 17. 1667.

IT is his Majeſty's Pleaſure, that Dr. *Jenkins* do accordingly deliver his Opinion upon the Premiſſes, unto the *Swediſh* Reſident in Writing.

Will. Morrice.

THE Queſtion which I am (in Obedience to his Majeſty's moſt gracious Pleaſure) to anſwer unto, being a Matter of Fact, I thought it my Duty not to rely wholly on my own Memory or Obſervation, but further to enquire of Sir *Robert Wiſeman*, his Majeſty's Advocate General; Sir *William Turner*, his Royal Highneſs the Lord High Admiral's Advocate; Mr. *Alexander Cheek*, his Majeſty's Proctor; Mr. *Roger How*, Principal Actuary and Regiſter in the High Court of Admiralty of *England*; whether they, or any of them, had obſerv'd, or could call to Mind, that in the late War againſt the *Dutch*, any one Ship, otherwiſe free, (as belonging to ſome of his Majeſty's Allies) having carried Goods belonging to his Majeſty's Enemies, from one Enemy's Port to another's, and being ſeized (after it had diſcharged the ſaid Goods) laden with the Proceed of that Freight, which it had earn'd and received of the Enemy, (upon the Account of the Ship's Owners) had been adjudged Prize to his Majeſty; they all unanimouſly reſolved, they had not obſerved, nor could call to Mind, that any ſuch Judgment or Condemnation ever paſſed in the ſaid Court; and to this their Teſtimony I muſt (as far as my Experience reaches)concur: And if my Opinion be (as it ſeems to be) required, I do not (with Submiſſion to better Judgment) know any Thing, either in the Statutes of this Realm, or in his Majeſty's Declarations upon Occaſion of the late War, nor yet in the Laws and Cuſtoms of the Sea, that can (ſuppoſing the Property of the ſaid Proceed to be *bona fide* veſted in the Ship's Owners, his Majeſty's Allies) give ſufficient Grounds for a Condemnation in this Caſe: And the ſaid Advocates (upon the Debate I had with them) did declare themſelves poſitively of the ſame Opinion. Written with my Hand this 6*th* Day of *February* 1667. *Engliſh* Stile.

L. Jenkins.

To Sir Leoline Jenkins.

SIR,

IT happened ſome Years ago, that a *French* Privateer having taken two *Dutch* Ships, and brought them into *Jamaica*, upon Trial in the Admiralty there they were found to have taken them without Commiſſion: So that the Produce was adjudged to be paid into Sir *T. Modyford*'s Hands, then Governour of the Iſland. A Queſtion now ariſes, whether this Money, being 1100 *l.* in the whole, belongs to the King or the Duke; and his Majeſty commands it to be referr'd to you, to hear and ſtate the Caſe, and to give your Opinion upon it, his Royal Highneſs likewiſe conſenting to it. Sir *Ch. Littleton* will attend you on the King's Part, and Mr. *Bret* on the Part of his Royal Highneſs, from whom you will have a more diſtinct Account of the Thing.

R. S.

May it pleaſe your Majeſty, *March* 29. 1672.

HAVING heard your Majeſty's and his Royal Highneſs's Advocates, upon the Papers and Queſtions hereunto annexed; I have, in Obedience to your Majeſty's gracious Pleaſure, the following Account to give:

THE Matter of Fact ſtands thus: A *French* Man of War takes a *Holland* Merchantman, upon the Coaſt of *Cuba*, in *October* 1664; and having brought him to *Port Royal* in *Jamaica*, commences a Suit againſt him in the Admiralty there; praying, that either the Ship and Lading might be condemned to him as lawful Prize; or elſe that it might be adjudged liable to pay him the Loſſes and Damages which he had ſuſtained in the Fight when he took her.

ON

On the 22*d* of *November* 1664, the Admiralty condemned the Ship and Lading for the Payment of 500 *l.* to the *Frenchman*, the Overplus (if any) to remain for a Year and Day in Court, and then if no Claimer appeared, to fall to his Royal Highneſs.

The *Hollander* Appeals from this Sentence, and Sir *Thomas Modyford* (as Judge, it ſeems, of Appeal) pronounces it to be void, and decrees, "That the Ship and Lading "ſhould be ſold, and that the Proceed ſhould remain in ſuch Hands as he ſhould "appoint, for the Uſe of the *Hollander*, in caſe there ſhould be no War; but if a "War ſhould happen, then the ſame to be for the Uſe of your Majeſty and his "Royal Highneſs, in ſuch Caſes made and provided." Theſe are the Words of the Sentence, which was given *Dec.* 9. 1664.

The firſt Proceedings in the Admiralty of *Jamaica* bear Date 17*th* of *November* next before: The Orders for general Repriſals againſt the *Dutch* bear Date (if my Notes deceive me not) the 8*th* of the ſame Month and Year, and the War was declared in *February* following.

This being the Fact, the *firſt* Queſtion put is, whether the *Hollanders* intereſſed ſhall have the Money, which is the Proceed of this Ship, or not? To this I humbly anſwer, that they have no Pretence to it; not only as they are now declared Enemies, but by the 4*th* Article of the Treaty of *Breda*, they are for ever debarred all Claim in theſe Caſes.

The *ſecond* Queſtion is, whether your Majeſty, or elſe his Royal Highneſs as Admiral, ſhall have this Money, if the *Hollanders* have no Right to it? To this I humbly anſwer, that your Majeſty has an original undoubted Right to Enemies Goods, excluſive to all others that do not derive by your Commiſſion. And moreover, by Regulation made in Council, *March* 6. 1665, all Ships that either come in voluntarily upon Revolt from the Enemy, or are forced into Port by your Majeſty's Men of War, or elſe are ſeized in Port before any Declaration of War or Repriſals, are declared to belong to your Majeſty.

On the other Side, the Lord Admiral has *Bona inimicorum pro derelictis habita, ſeu caſu fortuito reperta* (within his Juriſdiction), granted to him by Patent; and by the ſame Regulation, his Right is declared to extend to Enemies Ships coming into Port by Streſs of Weather, or other Accidents: So it is if they come in by Miſtake of Port, or not knowing of the War.

Before this Regulation be applied to this Fact, it will, I ſuppoſe, be granted without Difficulty:

1. That there is nothing new granted to the Admiral by this Regulation, only his Patent is explained, and his Right (which was in Part acknowledged in an Order of Council, *Dec.* 14. 1664.) is more expreſly declared as to *Bona inimicorum*.

2. That Goods ſeized in *Jamaica*, after granting of Repriſals in *England*, but before Notice was had in *Jamaica* of their being granted (ſuch was the Caſe of this Ship), ſtood ſubject to Repriſals, I mean, were lawful Prize, in the ſame Manner, and under the ſame Rules of Sharing and Propriety, as if Notice and Commiſſion had been actually received there to do the ſame; and that there is no Difference between a Seizure in Repriſals, and a Seizure in War, as to the diveſting of the Proprietor of his Intereſt, and the inveſting the Taker under the Commiſſion he acts by, and the Law he lives under.

These two Things being granted, I ſhall humbly obſerve,

1. That this Ship was not ſeized or arreſted in your Majeſty's Name, or by your Order, as the *Dutch* were then ſeized in the Ports of *England*; and I conceive, with Submiſſion, that ſuch a Seizure or Imbargo, as foreruns a War or Repriſals, is intended by the Words of the Regulation and no other. For the Words [by his Majeſty] are to be referred to the Word [ſeized], otherwiſe they are ſuperfluous, ſince no War or Repriſals can poſſibly be declared but by the King; and ſo joined, they do clearly diſtinguiſh between Imbargoes, which are Acts of State principally intended, (as the Effect of your own Royal Power) in this Reſerve to your Majeſty, and other Seizures and Arreſts which are accidental, and upon ſeveral private Occaſions, but do not run in your Majeſty's, but always in your High Admiral's Name.

2. That the bringing up of this Ship, and detaining it under Arreſt in *Jamaica*, at a Time that Repriſals againſt the *Dutch* were iſſued out in *England*, was a meer Accident; not upon the Proſpect of a War with *England*, but purely upon the Suit of the *Frenchman*, in an Action of Damages againſt the *Hollander*, without any Intereſt or Order of your Majeſty appearing. And if a Seizure or Arreſt in the ordinary Courſe of Law between Party and Party, comes as fully under the general Word [other Acci-

Accident], as Ignorance of Port, or Streſs of Weather does, this Caſe falls to the Admiral's Share in the Regulation.

3. Supposing (as under Correction I do in this Caſe) that no Seizure in Port which is by Accident, (and I reckon all Seizures accidental to a War or Repriſals that are not by your Majeſty's Name and Command) is by the Regulation intended to enure to your Majeſty's Uſe, the Declaration which Sir *T. Modyford* made, being after Repriſals were iſſued out in *England*, ſhall not prejudice the Right of the Admiral, as far as it is eſtabliſhed by the Regulation. For inſtance, if this Ship had come in by Streſs of Weather, the Admiral, I conceive, ſhould have had her, notwithſtanding any Seizure for your Majeſty's Uſe. And it has been ſo ruled in *England*; for upon the firſt opening of the Repriſals here, ſome Ships were brought in by Storm, others by the Endeavours of Men without Commiſſion: And the Officers of the Cuſtoms (to whom all Prizes were then committed) poſſeſſed themſelves of them for your Majeſty; but your Majeſty was pleaſed in Council, on *Dec.* 14. 1664. (about ten Weeks before the War was declared, and about 14 Months before this Regulation was made) to order, That the Ships brought in by thoſe Accidents ſhould be reſtored to his Royal Highneſs, and to declare that they belonged to him as *Bona inimicorum*, in vertue of his Patent; directing thoſe Officers to meddle with ſuch Ships only as your Majeſty's Ships ſhould bring in for Prizes, and no other.

So that upon the whole Matter, the Seizure of this Ship having not been by way of Imbargo in your Majeſty's Name, or by your Warrant, but by a Judicial Decree between Party and Party, (which was a meer Accident as to the Rupture then begun) and this Seizure or Arreſt happening at a Time when Repriſals were actually iſſued out in *England*, I am of Opinion, under Correction, that the Right to this Money is veſted in his Royal Highneſs by vertue of his Patent, and of the Regulation made *March* 6. 1665-6.

As to the laſt Queſtion, whether Sir *T. Modyford* has Right to this Monev, as a Perquiſite to the Governour's Place? I am of Opinion he hath not: For ſuch Things as theſe paſs not in the Grant of an Office newly erected, without poſitive and expreſs Words. All which, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Jeſus-College, Oxon, March* 30. 1666.

THE Sentence of the Admiralty againſt the *Salvator del Mundo & del Anima del Purgatorio*, (a *Venetian* Ship ſo called) is, as I do with Submiſſion conceive, abundantly juſtifiable, both from the ancient Stile and Practice of that Court, and from the particular Circumſtances and Proceedings in this Cauſe.

For all Perſons concerned were called by a Monition in due Form ſet up at *Oxford* the 2*d* of *January* laſt, to ſhew Cauſe, if they had any, why this Ship and Lading ſhould not be condemned as Enemies Goods to your Majeſty. This Monition being returned the 16*th* following, all Perſons were called again upon the three ſubſequent Court Days, in open Court, and none appearing, Sentence was pronounced *in pœnam contumaciæ*, the 31*ſt* of the ſame Month. This appears by the Acts of Court, and has nothing diſagreeing in it, from the moſt received Practice in all the Judicatories of *Chriſtendom* of this kind.

Nor was this done, as is ſuppoſed, before the Court was poſſeſs'd of the Ship, which, it ſeems, was carried into *Ireland*: For the Court (to which nothing of that Fact was repreſented, or did otherwiſe appear) was ſufficiently founded to proceed, in that the Ship had been actually ſeized by one of your Majeſty's Frigates; that the Maſter, and others of his Company, had been brought by that Frigate, and, for ought appeared to the contrary, the Ship it ſelf, into *Plimouth*; that the Maſter and ſome others of that Ship's Company, had been examined there by Commiſſion from his Royal Highneſs; that thoſe Depoſitions, and other Ship Papers, were duly returned into the Admiralty; (and more than this we have not in any Caſe to proceed upon) and tho' the Ship came afterwards into *Ireland*, yet it remained ſtill ſubject to this Juriſdiction; and none of the ſubordinate Courts there could intermeddle legally, where this Admiralty was poſſeſſed of the Cauſe, and had regularly begun to proceed.

Nor is it any Excuſe (which is the other Suggeſtion) to ſay, there was no Monition touching this Ship, hung up at the *Exchange*, the uſual Place in *London* for your Majeſty's Warrants, the one for removing the Court from *London* to *Wincheſter*, and the other for removing from *Wincheſter* to *Oxford*, being ſet up and Publiſhed in due Form and Time at the *Exchange*, and the reſpective Adjournments being ſo notoriouſly known, and attended to by Merchants and other Perſons concerned.

The

THE Monition iſſued out at *Oxford*, did much more effectually affect theſe Claimers than if it had been hung up at the *Exchange*; the Sickneſs having rendred that Place, ſuch as the Law reputes, unſafe to be frequented, and conſequently uncapable to have a Monition ſet up in it, to any good Effect.

NOR was the Contumacy, or the Port of *Oſtend*, where the Maſter could not upon his Oath ſay, he was to diſcharge, but only to receive further Orders; the only Things in the Eye of the Court, when that Sentence was paſſed. For among other Papers there were four Letters found on Board, denied at the firſt by the Maſter, and found upon Search in the ſeizing of the Cabbin.

THESE Letters were written from *Amſterdam* to the Maſter at *Cadiz*, where he was to touch, and take in a Pilot, ſuch a one as had approved himſelf truſty. There is an Emphaſis in the Words, and the Original, which is *Italian*, imports a Truſt by ſome Secret, rather than the Conduct of the Voyage. The Maſter is particularly charged to burn theſe Letters, to give the Writers frequent Advice of his Proceedings, and to addreſs his Letters to them under the Covert of M. *Naguens*, by the Way of *Oſtend*, which is much the Way about to *Venice*. He is alſo directed to engage in no Company, but that of Neuters to *England* and *Holland*, except it be in the Fleet, which they ſuppoſe to be ſtrongly convoy'd; and in the Cloſe add theſe Words, "henceforth we will write unto you, in the Name of Seigniors *Benzony* of *Venice*, for "your good Government, *&c.*" and accordingly they do; for the firſt Letters, dated 17*th* and 31*ſt* of *Auguſt* laſt at *Amſterdam*, are ſubſcribed *Gio Vachino Lorrezo*, and the two other Letters, as if theſe Men had been tranſported thence in 24 Hours Space, dated the 1*ſt* and the 14*th* of *September* enſuing at *Venice*, are ſubſcribed *Gio* and *Antonio Benzonij*. Thoſe are the Names to the Petition now depending, the Hand, Ink, the Paper, and the Seal, being undoubtedly the very ſame, in all the four Letters.

THO' theſe Preſumptions are very violent, yet the Sentence paſſing not upon the Merits of the Cauſe, but in *pœnam Contumaciæ* only, the Claimers (conſidering they are Foreigners) are not to be precluded, but ought, as I do with Submiſſion conceive, to be admitted, if they deſire it, to purge themſelves of their Contumacy, and to proſecute their Claims by Way of Appeal, before my Lords of the Council, who are already conſtituted Judges in this Behalf. For this being not a true Contumacy, which implies, that the Party hath actually had Notice or Summons, yet neglects or refuſes to appear, but a preſumptive or feigned Contumacy, which may be purged by pleading Ignorance or Impediment, the Law allows the Party, if he come in any reaſonable Time, in Proportion to the Diſtance of Place, the Liberty of oppoſing any Thing againſt a Sentence in *pœnam Contumaciæ*, upon that Maxim which *de Jure Gentium* is fundamental to all judicial Proceedings, that no Man be condemned unheard. All which, *&c.*

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of Prizes.

MY LORDS, *Mar.* 13. 1672-73.

THE Ship *Caſſeur*, alias the *Hunter*, *Jacob Johnſon* Maſter, appears by the Depoſitions taken in *præparatorio*, to have belonged to the Royal *Weſt-India* Company of *France*. It was laden at St. *Chriſtophers*, bound for *Honſleur*, and in its Courſe the 21*ſt* of *February*, (*N. S.*) taken by a *Dutch* Privateer, and having been ſix Days in the Enemies Poſſeſſion, was retaken off of *Dover* by his Majeſty's Ship the *Drake* Frigat.

MY LORDS, this Caſe and its Circumſtances are much like to that I have had the Honour lately to repreſent, with my moſt humble Opinion, to your Lordſhips, upon the like Sollicitations of M. *le Barr*, in Behalf of *French* Subjects; he prays the ſaid Ship and Lading may be reſtored, as in the like Caſe is practiſed in *France*. I do not know, nor has M. *le Barr* informed me of any ſuch Practice in *France*; if there be any ſuch, I take it to be more favourable to us, than their Law is to their other Allies. For their Law is, (if I miſtake it not) that *French* Subjects indeed ſhall have Reſtitution upon Salvage, tho' the Ship have been ſeveral Days or Months in the Enemies Hands; but their Allies muſt be reſcued within 24 Hours, elſe they are not to be reſtored upon Salvage, but adjudged good Prize to the Reſcuer.

MY LORDS, I am ſorry that I muſt obſerve to your Lordſhips (for I think it my Duty) that the Depoſitions of theſe *Frenchmen*, taken *in præparatorio*, do obſerve, that the *Dutch* Caper plunder'd nothing out of the Ship, only the Captain took a Piece of Silver, worth one hundred Pieces of Eight; but the Company of the *Drake* Frigat, plunder'd a very conſiderable Part of the Lading, moſt, if not all, of 74 Barrels of Indico, all the *Campeigne* Wood, and Sugars, which is not for the Reputation of his Majeſty's Arms. I have,

I have, My Lords, the Honour of another Order of Reference from your Lordſhips, brought me by Mr. *Carbonell*, to report the *Fame* or *Renown* of *Herlinghen*; but I took the Liberty then to excuſe my ſelf, till I ſhould underſtand your Lordſhips further Pleaſure. This Ship, My Lords, and its Lading being Salt, was by Order to be ſold upon a Motion for the King, before any Claim was heard of, or your Lordſhips Reference brought to me; ſo that there being an Intereſt acquired to his Majeſty by this judicial Act for Sale, there is, as I conceive, a Neceſſity that the reſt of the Proceedings, to clear or condemn, be in a judicial Way; for where the King's Hand is laid on by a legal Act in Judgment, the like Act is requiſite to take it off, which I am ready to proceed to, and will be done at any Time in half an Hour, if the Cauſe will bear it, as ſoon as any ſhall appear in Judgment, and juſtifie this Claim in the Preſence of the King's Council. This, My Lords, was my Anſwer to Mr. *Carbonell*, in Regard that he pretended that this Ship muſt forthwith be diſcharged at the Inſtance of the *French* Ambaſſador. I could have told him further, but that it is not much to the Credit of the Management below, that there is not one Scrip of Paper nor Depoſitions brought up, whereupon to ground a Report to your Lordſhips; for the Sale was grounded meerly upon the Certificate, after the Lapſe of fourteen Days. I am, *&c.*

L. Jenkins.

To the KING in Council.

May it pleaſe your Majeſty,

IN Obedience to your Majeſty's moſt gracious Order in Council, I have theſe few Things to offer touching the Trial of the two Priſoners now in *Newgate*, who being taken in a Boat under Sail, with Wools on Board, in the River of *Thames*, have occaſioned the Queſtion, Whether they are to be tryed at a Seſſions of your Majeſty's Court of Admiralty, or elſe in the ordinary Seſſions for Goal-Delivery?

There are two Acts of Parliament, the one of the 12*th*, and confirmed by the 13*th*, the other of the 14*th* Year of your Majeſty's Reign, againſt the exporting of Wools, the firſt makes it very penal as a Miſdemeanour, the laſt makes it to be Felony: But in both theſe Acts there is a Clauſe (the ſame *verbatim)* directing where the Offenders are to be tryed, *viz.*

" Every ſuch Offence ſhall and may be enquired of in the County where ſuch " Wools ſhall be pack'd, laden, or laid aboard, or elſe in the Country where ſuch " Offenders ſhall happen to be apprehended or be arreſted for ſuch Offences, the " Tryal to be in ſuch Manner and Form, and to ſuch Effect, as if the ſame Of- " fence had been wholly and altogether done and committed in ſuch County.

It doth not appear by the Information, that the particular County in which thoſe Wools were laden, is either known or confeſs'd, nor can the Offenders (as I humbly conceive) be ſaid to have been apprehended or arreſted in any County, ſince they were taken in the main Stream of a great River, far beneath that Bridge of it which is nigheſt to the Sea.

Thoſe are the Words of the Statute (of the 15 *Rich.* 2. *cap.* 3.) and altho' thoſe Words ſhould be underſtood to reſtrain the Lord Admiral from taking Cogniſance of Offences done upon great Rivers in any Caſe (the Death of a Man on Shipboard, and his maiming only excepted) yet this Statute of the 28 *Hen.* 8. concerning Piracy, is clear and expreſs, that all Felonies (and conſequently this of exporting of Wool) committed or to be committed in any Haven, River, Creek, or Place, where the Lord Admiral has or pretends to have Juriſdiction, as well as Felonies committed upon the main Sea, ſhall be enquired of, and tryed before the Lord Admiral, only this Tryal is now to be by a Commiſſion of Oyer and Terminer, after the Courſe of the Common Law, and the Tryal may be in any Shire or Place that is aſſigned and limited by ſuch Commiſſion, ſo that if this Offence be to be enquired of and tryed as a Felony, it ſeems to come fully within the Purview of this Statute of Piracy, and cannot be otherwiſe tryed than in the Seſſions of the Admiralty.

Yet ſince it is expreſly provided in the Act of the 14*th* of your Majeſty's Reign, that nothing in it ſhall be conſtrued to Repeal the Penalties, Clauſes or Proviſoes made againſt this Offence in the former Act of the 12*th*, I do with Submiſſion conceive that the Commiſſioners will be obliged, by the Humanity uſed in Favour of Life (when penal Statutes are interpreted and applied) to try theſe Priſoners upon the Act of the 13*th*, which does not make this Crime to be Felony; for if they be tryed by the Act of the 14*th*, which makes it Felony, and it be found againſt them, the

Statute of Piracy (upon which this Commiſſion muſt be grounded) to try this Felony, will debar them of their Clergy; whereas the Act it ſelf that makes this Felony, does not exclude them of that Benefit.

And the Commiſſion of Oyer and Terminer, ordinarily iſſued out by Virtue of the Statute of Piracy, and now ſtanding in the Admiralty, will reach this Offence as a Miſdemeanour or a publick Nuſance; for by that Commiſſion, the Lord Admiral, his Lieutenant, and the reſt of the Commiſſioners, are made and conſtituted Juſtices of Oyer and Terminer for the Goal Delivery and the Peace, for the due executing and obſerving of ſeveral Statutes there enumerated; for Inſtance, thoſe againſt tranſporting of Silver and Gold beyond the Seas, thoſe againſt Weares and Kidles, and againſt unlawful Nets and Engines for fiſhing, thoſe againſt tranſporting raw Hides and Tallow, and thoſe againſt tranſporting of live Sheep, and many more the like Statutes. To theſe might be added the Statutes about Wool-Stealing in the next Commiſſion; for tho' this Commiſſion had its firſt Original about the 28 *Hen.* 8. yet we find ſeveral Statutes, incerted in the modern Precedents, that were made in the three ſucceeding Reigns, long after the firſt Forms, all the Commiſſions having a general Clauſe, to enquire not only upon the Statutes therein ſpecified, but upon all and ſingular other Statutes that ought to be obſerved, yet may be at any Time, and are ſometimes tranſgreſſed and violated within the Juriſdiction of the Lord Admiral. Beſides this, and the conſtant Form of theſe Commiſſions for near ſevenſcore Years, under the View and Approbation of ſeveral Lord Chancellors and Keepers, under ſix of your Majeſty's immediate Predeceſſors, I muſt crave leave to add *Lacy*'s Caſe, *Hil.* 25 *Eliz.* and *Leigh*'s Caſe 7 *Jac.* as they are reported in the Common Law Books; for I do not offer any of our Records, ſo ſlight and inſignificant is their Authority now made to be.

Nor is there any Thing granted to the Lord Admiral in this Commiſſion, but what he was poſſeſſed of long before thoſe Commiſſions grounded upon the Statute of Piracy were known; for by the Inquiſition taken at *Queenborough*, 49 *Ed.* 3. and by the Statutes of the black Book in the Admiralty, much ancienter than that Inquiſition, the tranſporting of prohibited Goods particularly, and ſo of other Offences, was to be enquired of and tryed before the Lord Admiral; and in the Articles uſually given in Charge at the Admiralty Seſſions of *England* to this Day, the Inquiry after Tranſporters of prohibited Goods is given in Charge to the Jury, and it ſeems no leſs than neceſſary; for if ſuch Offenders do *de facto* eſcape the Searchers and Officers imployed upon the Land and in the Ports, there will be no Puniſhment left for them, when they are taken within the Juriſdiction of the Admiral, for want of a proper Jury, unleſs the Lord Admiral and his Commiſſioners may enquire of and execute theſe Laws: So that upon the whole Matter, I do humbly conceive, that the Cogniſance of this Offence, whether it be conſidered as a Miſdemeanour, or as a Felony, may properly belong to your Majeſty's Seſſions of the Admiralty, ſaving that in Favour of Life, the Proceedings are to be upon the firſt Act for Miſdemeanour, rather than that for Felony, ſince the Liberty of chooſing is not taken away from the Commiſſioners.

But if your Majeſty ſhould think fit to give the Juriſdiction in this Caſe of Wool-Stealing from the Seſſions of the Admiralty to ſome County Seſſions; It would not be any Prejudice (as I conceive) to your Majeſty's Service, ſince the Proceedings are to be the ſame in either Court; but it is not ſo in other Points of Juriſdiction between the Common Law and the Admiralty, wherein the good of Trade and Navigation is more immediately concerned. I muſt therefore, by Reaſon of the daily Clamours I have from material Men, moſt humbly take leave to open their Caſes, as it ſtands in the Admiralty, to your Majeſty's moſt gracious Conſideration.

Thoſe are commonly called material Men, whoſe Trade it is to build, repair, or equip Ships, or to furniſh them with Tackle and Proviſion (neceſſary in any Kind). Thoſe Men, when they have furniſh'd any Victuals or Materials upon the Credit of a Ship, are certain Loſers, if they be prohibited from taking their Remedy againſt ſuch Ships, by Arreſting and Proceeding to gain a Poſſeſſion of the Ship it ſelf, till the Debt be ſatisfied, according to the ancient Courſe of the Admiralty. If they be put to their perſonal Action againſt the Maſter only, who employ'd them at Work, or took up their Goods, they find him moſt commonly not worth of his own the 40*th* Part of what he may, and in ſome Caſes muſt take up upon the Credit of his Ship.

It is true, it hath of late been held, that ſuch Contracts being made, and ariſing upon the Land, are declared by the Statutes 13*th* and 15*th Rich.* 2. to be not cogniſable in the Admiralty; yet if thoſe Statutes be weighed together with the Suggeſtions and Complaints of the Commons, upon which they were enacted, there will not (under Cor-

Correction) be any Neceſſity to extend them any further than the Grievances and Abuſes then complained of: But that the Cogniſance of Contracts and Pleas relating to the building, and repairing, and furniſhing of Ships, was not intended to be prohibited to the Admirals, may (as I conceive) be well preſumed, not only becauſe the Things complained of, are Actions and Pleas of Matters foreign to Navigation, *&c.* but alſo that during the Remainder of K. *Ric.* II. Reign, after the making of this Act, as alſo in the Reigns of *Hen.* IV. *Hen.* V. Commiſſions of Appeal were ordinarily iſſued out of Chancery, as appears by the Records of thoſe Years in the *Tower*, whereby the Proceedings and Judgments in the Admiralty are ſo far from being complain'd of, prohibited, or declared as *coram non judice*, that they are referr'd, as in the ordinary Courſe of Appeals, to the Examination of Delegates.

It was one of the Articles ſubſcribed by all the Judges of the Land, and Mr. Attorney General *Noy*, before the King your Majeſty's Father of ever Bleſſed Memory, in the Year 1632; that where a Suit is in the Admiralty for building, amending, ſaving, or victualling of a Ship, againſt the Ship it ſelf, and not againſt any Party by Name, but ſuch as for his Intereſt makes himſelf a Party, no Prohibition is to be granted, tho' this be done within the Realm. And according to this Reſolution of the Judges, there were ſeveral Judgments given, and Prohibitions denied at *Weſtminſter-Hall*, from the Year 1632, to the Troubles.

The Uſurping Powers, who had no Reverence for any Authority but their own, yet in 1652 did, for the Advancement of Trade, and Increaſe of Shipping, make no leſs than four ſeveral Ordinances, to aſſert and keep up the Juriſdiction of the Admiralty, in the caſe of material Men eſpecially, and ſome other Points for the Increaſe of Shipping and Commerce; that above 100 of the beſt qualified Merchants in *London* did petition your Majeſty, ſoon after your moſt happy Return, that your Majeſty would pleaſe to eſtabliſh the former Regulation, agreed on by all the Judges; declaring upon their Experience, that the Good of Trade and Navigation did very much depend upon it.

In ſeveral Seſſions of this Parliament, there have been Overtures made to his Royal Highneſs, from many hundreds of material Men, whereby it was averr'd, that the aſcertaining of the material Mens Remedy againſt the Ship, according to the ancient Courſe of the Admiralty, without Interruption from the Courts of *Weſtminſter*, would be of great Advantage to your Majeſty's Cuſtoms and other Revenues, as well as to the Increaſe of Shipping and Trade in general. It being very demonſtrable, that a hundred Sail of Ships in the River of *Thames* may be equipp'd, and ſet out with all Neceſſaries upon any Occaſions, (the Credit of the Ship being ſecured to the material Men) with better Diſpatch and leſs Difficulty, than 5 Sail can now be ſet out, while the material Men have no Remedy againſt the Owners; for they will pretend the Goods were not taken up by their Order; nor any Effect againſt the Maſter; for he is generally not worth the truſting; and beſides, has no Benefit from the Goods and Neceſſaries, which he took up and imployed upon another Man's Ship.

However, if the Admiralty did contend for the Cogniſance of material Mens Cauſes, excluſively of other Courts, there would not be ſo much Reaſon to heed them; but they deſire no more, but that your Majeſty's Subjects may be at full Liberty to ſue in ſuch Courts as ſhall like them beſt; only when they have begun and joined Iſſue in the Admiralty, that that Court be not prohibited to go through, and determine the Cauſe, ſaving all Appeals from it to your Majeſty. If the Admiralty may not, but is ſtill prohibited, theſe poor material Men muſt be content, either not to deal at all, unleſs it be for ready Money, or elſe to truſt upon more hazardous Terms than any other Sort of your Majeſty's Subjects, beſides the fruitleſs Expence of Time and Money, the Diſputes between two Juriſdictions, and the Danger of being ſued after all for double Damages upon a penal Statute. All which is moſt humbly ſubmitted, *&c.*

L. Jenkins.

The Opinion of the Judges upon the foregoing Report, as far as it concerns the Wool Exporters.

According to the Order made by his Majeſty in Council hereunto annexed, we have met and peruſed the Report of the Judge of the Admiralty therein mentioned, and we are of Opinion as followeth:

Firſt, That the Offences againſt the Statutes of the 12*th* and 14*th* of his Majeſty's Reign, againſt Exportations of Wool, are to be determined before Juſtices of Aſſize, Goal Delivery, or of the Peace, in the County where the ſame Wool was packed, or laid

laid on Board, if it can be known, or in the County where the Offenders were apprehended.

Secondly, That although the Offenders were taken in a Boat under Sail upon the River of *Thames* below the Bridge beyond *Graveſend*, yet inaſmuch as it is certain that the River of *Thames* at that Place is within the Body of the County, namely, that Part of the River that lies next to the County of *Kent* unto the *Filum aquæ*, is within the County of *Eſſex*; the Offenders ought to be tried according to the Directions of the ſaid Act, in ſuch of the Counties where they were taken, or where the Wool was packed, if it may be known.

3. That the Court of Admiralty hath no Juriſdiction to hear, or determine the Offence committed as aforeſaid, either as a Felony or a Miſdemeanour.

4. That the Offence in the Order hereunto annexed mentioned, cannot be proceeded upon, heard, or determined, by vertue of any Commiſſion granted upon the Statute of 28*th Hen.* VIII. *c.* 15. touching the Trial of Piracy, and other Offences therein mentioned.

To His Royal Highneſs.

May it pleaſe your Royal Highneſs,

I Have, in Obedience to your Royal Highneſs's Command, and purſuant to his Majeſty's Order in Council, the following Account to offer, touching the Trial of the Wool-Stealers offending and taken within the Precincts of the Cinque Ports.

1. There is no Doubt but they may be tried by Commiſſion of Oyer and Terminer directed to your Royal Highneſs, your Lieutenant and others, ſuch as his Majeſty ſhall think fit to name; and this Commiſſion may be executed in *Dover* Caſtle, or any where elſe within the Ports.

2. The Mayor and Jurates of *Rumney*, within whoſe Liberties thoſe Offenders were taken in the Fact, may (if it be thought fit) call and hold a Seſſion within their Corporations, and theſe Offenders may be indicted and receive Sentence and Execution there, if they be found guilty; but neither of theſe Ways, tho' they be according to the Courſe of Common Law, are like to have that ſpeedy and certain Effect, which his Majeſty's Juſtice, and gracious Concern in this Affair do require.

3. There is therefore a third Way, which, under Correction, ſeems the fitteſt to be choſen in this Caſe; it is, the ſending of the Offenders to *Maidſtone* Goal, in order to receive their Trial at the next Aſſizes to be held for the County of *Kent*.

Nor can I find that this will be any Prejudice to your Royal Highneſs's ancient Juriſdiction in the Ports, for which you were pleaſed, out of your Princely Goodneſs, to ſhew ſo great a Concern. This I do not take the Boldneſs to offer to your Royal Highneſs, without having firſt conſulted thoſe that are beſt verſed in the Rights and Privileges of the Ports, and having waited on my Lord Keeper, and Mr. Juſtice *Moreton* (who has ſate frequently Judge of Aſſize for that County, and obſerved ſeveral Felonies committed within the Ports to have been tried in the Aſſizes for the County).

My Lord Keeper, having conſidered the whole Matter, was pleaſed to direct, that the Examination of thoſe in hold ſhould be taken before Mr. Juſtice *Moreton*, which cannot be any Prejudice to your Royal Highneſs, either as Lord Warden, or Admiral of the Ports; and tho' his Majeſty's Order in Council gave me Power to examine them, I thought it ſafeſt to wait his Majeſty's further Pleaſure, ſince that where there is no doubt concerning the County and Place where the Felony was committed; and ſince that the Offenders were taken, not upon the Water, but upon the Land, I could not think that Examinations taken before me, would be any Evidence at the Trial; and now there remains no more (as I humbly conceive), but to receive his Majeſty's Order for the removing of the Priſoners to their Trial in the County of *Kent*; unleſs your Royal Highneſs does find ſome eſpecial Cauſe (which does not yet appear to me) to have them proceeded againſt by a ſpecial Commiſſion within your Cinque Ports. All which is ſubmitted to your Princely Wiſdom.

L. Jenkins.

To the KING.

May it pleaſe your Majeſty,

IN Obedience to your Majeſty's moſt gracious Order, I have adviſed with your Majeſty's Council in the Civil Law, touching the Concern of the Sieur *Chromſton*, a Subject of *Sweden*, now depending before your Majeſty; and we do concur in the Points following:

1. That

1. That the Obligation from the Treaty with *Sweden*, for taking Security from private Men of War, hath been fully comply'd with on your Majeſty's Part, good Bond having been once actually given in this Caſe; nor is your Majeſty's Exchequer liable to anſwer the Damage ſuſtained; all that the Article requires on your Majeſty's Behalf having been duly performed and executed.

2. That whether the Bond in Queſtion was ſealed and delivered in *Scotland* or in *England*, your Majeſty may pleaſe, if it be tranſmitted, or remaining in the Regiſtry of the Admiralty of *Scotland*, to order the Regiſter of that Court (who by his Office ſtands chargeable with it) to tranſmit hither the Original Bond; That the Petitioner may have the Remedy which the Law affords upon a Bond againſt the Sureties living in *England*, it being uſual in Aid of Juſtice, as in all other Places of *Chriſtendom*, ſo in theſe your Majeſty's Two Kingdoms, to have the Benefit of Law and Execution where the Obligors in a Bond do live, tho' the Bond it ſelf were not made in the ſame Kingdom.

This is the conſtant Uſage in all Parts where the Civil Law obtains, and I my ſelf can, upon Experience, witneſs the Practice of it in *Scotland*; for a Merchant of *Aberdeen*, having become bound to me in a Statute Merchant of 3,000 *l.* in the Manner and Form peculiar to *England*, (I being intruſted for a Stranger) have been lately forced to ſue that Statute Merchant, and having tranſmitted the Original Bond into *Scotland*, I have had very good Juſtice before the Lords of your Majeſty's Seſſions there, and Execution againſt the Party, tho' there be no ſuch Form of Obligation as our *Engliſh* Statute Merchant is, received or known in *Scotland*.

3. If the Regiſter of the Admiralty of *Scotland* has delivered out the Bond, without ſufficient Power ſo to do, he himſelf is reſponſible for the Damage, but muſt be ſued in *Scotland*; if he hath done it by Warrant from the Lord High Admiral, or by a Judicial Decree of Court, he muſt certifie ſuch Warrant or Decree *per extenſum*, that your Majeſty may judge of the Grounds and Sufficiency of it; and if the Regiſter were ſufficiently impowered to deliver it out, the Petitioner muſt have Recourſe againſt the Lord High Admiral for giving ſuch Warrant; or againſt the Judge of the Court for making ſuch Decree, if ſuch Warrant or Decree were paſſed, without obſerving Solemnities in Law required in ſuch Caſes.

4. That if the Bond was not ſent into the Regiſtry of *Scotland*, but cancelled or delivered up here in *England*, 'tis humbly conceived, that there may be Remedy had (which I ſubmit to better Judgment) either in Equity againſt the Sureties and their Complices for Fraud and Combination; or in Law, by Action of the Caſe againſt thoſe that cancelled or delivered up the Bond.

That Execution of the Sentence given by the Delegates in this Cauſe, will not lie nor have Effect againſt the Sureties in the Bond in Queſtion, ſince they were not Parties to the Sieur *Chromſton*'s Suit, either in the Admiralty, or in the Delegates; neither did they give Bail, for the principal Offender to pay what ſhould be adjudged againſt him in either of thoſe Courts. All which, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty,

In Obedience to your Majeſty's moſt gracious Order hereunto annexed, I have conſidered the Allegations of the Sieur *Chromſton*, Subject to the King of *Sweden*, who petitions to be repaired of a Spoil acted upon his Goods in the *Swediſh* Ship St. *Jacob*, at Sea, by *William Gerrard*, Maſter of the *Fanfan* Ketch, to the Value of 280 *l.* Sterling, in 1666, being the Heat of the *Dutch* War.

That there was ſuch a Ship plundered by the *Fanfan* Ketch, and that the Goods plundered belonged to *Abraham Corke*, *Monetarius Regius*, as he is ſtyled, of *Sweden*, appears partly by a Paſſport from *Stockholm*, under the Seal of the Royal College of Commerce, in the Form required by your Majeſty's Treaty with *Sweden*, which was found on Board the Ship; partly by the Intimations judicially given to the Admiralty, concerning the Deſign of this Ship's Lading for *London* long before it was taken, tho' the Paſs and Bills of Lading on Board were pretended for *Bourdeaux*, the better, as 'tis alledged, to paſs the *French* Capers; partly by your Majeſty's Order the 12*th* of *October* 1666, for freeing this Ship, and that the Captor ſhould repair all Embezilments and Spoil committed upon it; and partly by Extracts of Letters ſworn to, that paſſed between the Sieur *Corke* and his Correſpondents there upon that Occaſion.

So that upon the whole Matter, there is little doubt but that the Sieur *Corke* ſuffered a Loſs to the Value of 280 *l.* Sterling, which is the Sum depoſed of by the Maſter and two of his Company, in the Admiralty; and as little doubt, but that *Gerrard* and

and his Company, or the Executors of ſuch of them as are ſince dead, are compellable by Law to make full Satisfaction for this Spoil.

But the Queſtion put to me is, whether Captain *Gerrand* being ſince dead, and (as ſuppoſed) inſolvent, your Majeſty be in any wiſe obliged, by the 18*th* Article of the laſt Treaty with *Sweden*, to ſatisfie the Sieur *Corke* for this Spoil.

If this *Fanfan* had been a Privateer, and had committed this Spoil, without having firſt given the Security required by that Article to be taken from all Privateers, for not injuring or moleſting the *Swedes*, I do humbly conceive this Loſs were to be repaired (as it is expreſly therein provided) out of the Publick Purſe: But for the Miſchief done by this Ketch, which was not in your Majeſty's immediate Service and Pay, there is no ſuch Proviſion made in that Article. The Captain indeed of a Man of War thus offending, is to be puniſhed very ſeverely; and it is added in the Article, that all Care ſhall be taken to indemnifie the Party injured, in all his Damages and Intereſts, according to the Merits of his Cauſe.

This being the full Import of the Clauſe, (if I underſtand it rightly) as far as it concerns the King's Men of War on either Side, it ſeems to oblige your Majeſty to do all that can be done in Favour of Juſtice, and in Execution of your Laws, in order to bring ſuch an Offender to make full Reparations; but if he ſhould prove inſolvent, or an Outlaw, I do not ſee any Words in this Article that oblige your Majeſty to reimburſe the Party damnified out of your own Exchequer. If a Subject of either Kingdom ſhould turn Pirate, and ſhould without any Commiſſion at all, either as King's Man of War, or Privateer, rob the Subjects of the other; in this Caſe all Aſſiſtance might be juſtly challenged to bring the Pirate to Puniſhment, and to be indemnified out of his Eſtate; but if he have not wherewithal, it is not ſaid in this Article, that the Publick is to reimburſe the Sufferer.

This of ſatisfying the Sufferer out of the Publick Purſe, is limited to the Caſe of a Privateer only, doing Miſchief to a Subject of *Sweden*, and ſo *vice verſa*; but it does not hold if there be Security taken in 1,200 *l.* Sterling, as the Treaty requires. So that the *Fanfan* Ketch being no Privateer, I do not conceive, with Submiſſion, that this Act does give any Title to the Sieur *Corke* to be reimburſed by your Majeſty, but muſt be left (unleſs your Majeſty's meer Royal Bounty does interpoſe) to proſecute the Law againſt Captain *Gerrard*'s Executors, or ſuch others as were Actors or Receivers in this Spoil. All which, *&c.*

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of the Admiralty.

My Lords, *Doctors-Commons, June* 29. 1674.

I Humbly take Leave to offer to your Lordſhips, the adding of one Point more to thoſe Directions that have been already ſent to the Vice Admiral of *Norfolk*: It is, that he would ſeize all the Goods that the *French* Caper, or any other for him, hath ſold or diſpoſed of; the Reſtitution of the Goods being by the 21*ſt* Article of the Treaty of *Breda*, to be made in *Specie*, which the Buyers, by alienating and imbeziling of them, will difficult as much as they can; and put the Proprietors, who have Right to them by that Article, to a long Run at Law; in which the Court of Admiralty may not unreaſonably expect the Proceedings, which your Lordſhips are pleaſed to direct in this Affair, to be interrupted with Prohibitions from the Common Law, upon Suggeſtion, that the Sale by *Chandler* was *infra Corpus Comitatus*, &c. However, I ſhall call the ſaid *Chandler* by Proceſs to anſwer Articles, *&c.* and give your Lordſhip the beſt Account I can. In the *interim*, I do conceive, that as ſoon as your Lordſhips, by means of the Vice Admiral, ſhall become poſſeſs'd of the Goods landed and ſold, or elſe of the true and full Value of them, for the Uſe of the Proprietors, there will be no further Reaſon to continue the Seizure upon this Prize, if the *French* Caper deſire it to be taken off, and may have it away with him. For a neuter Prince is not in Favour of one Friend, to make the Condition of another Friend, who is come into his Ports, worſe than it was when he came in thither, by any Thing done by his Authority, further than his Obligation by ſpecial Treaty with the one or the other Friend ties him. I ſhall further preſume, My Lords, humbly to obſerve, that if the *French* Caper hath in Fact ſold no more of the *Dutch* Lading than what he ſhall make appear to have been neceſſary to revictual, refit, and enable him to reach the firſt Port of *France*, the Sale is juſtifiable by the Treaty, and not to be reſcinded, yet the Buyers and Brokers being the King's Subjects, deſerve to be puniſh'd; ſince every ſuch Sale is not to be permitted, without Leave firſt had from the

Vice

Vice Admiral or Judge in thoſe Parts, upon the Capers Remonſtrance, and legal Proof of the Neceſſity he was in to break Bulk, and ſell for his own Preſervation. For I do not, under Correction, conceive, that the Suggeſtion in the Memorial, *viz.* that the *Dutch* Prize had not yet been in any Port of *France*, nor legally adjudged to the Caper, doth concern his Majeſty or your Lordſhips, ſince his Majeſty is no further Judge between them, than the Law of Nations, the Honour of his Ports, and the due Execution of his own Treaties, conſtitutes, or rather neceſſitates him to be in ſuch Caſes. All which I humbly ſubmit, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Doctors-Commons, Aug.* 29. 1674.

HAVING, in Obedience to your Majeſty's moſt gracious Order of Reference, examined the Meirts of the Petition annexed, I do find by ſufficient Proofs, that Mr. *Sowton* is a Merchant in *London*, that hath for ſeveral Years laſt paſt, and doth at this preſent, drive a conſiderable Trade in Pitch and Tar.

THAT he hath contracted with the Directors of the Tar Company of *Stockholm*, for 1,400 Laſts of Pitch and Tar, to be delivered him every Year; that the Company hath covenanted with him, not to ſell, or ſend away any Pitch or Tar to any other Perſon than himſelf in *London*.

THAT he hath laden 35 Laſts of Tar, and 24 Laſts of Pitch, of the ſaid Quantity, for his own proper Account, on Board the Ship called the *Bergdſtadt* of *Stockholm*, and conſigned the ſame to *Thomas le Gondre* at *Rouen*, there to be diſpoſed of for his Account; the ſaid *Sowton* alone running the Riſque of it, no other Perſon having directly or indirectly any Intereſt therein, either at this preſent, or at the Time of Lading.

THAT this Ship being in her Courſe for *Rouen*, is brought in by a Privateer, having a *Spaniſh* Commiſſion, into *Oſtend*, and Proceedings are there now depending againſt the Pitch and Tar, to make it Prize to this *Oſtender*; the Letters of Advice from thence purporting, that by ſpecial Direction of the Governour of the *Spaniſh Netherlands*, Pitch and Tar are to be held for contraband Goods.

THERE is not any Pretence to make the Pitch and Tar belonging to your Majeſty's Subjects to be contraband; theſe Commodities being not enumerated in the 24*th* Article of the Treaty, made between your Majeſty and the Crown of *Spain* in the Year 1667, are conſequently declared not to be contraband in the Article next following. The ſingle Objection that ſeems to lie againſt the Petitioner in this Caſe is, that this Tar and Pitch is found laden, not in an *Engliſh*, but a *Swediſh* Bottom, as by the Proofs and Documents on Board it doth appear; and conſequently that the Benefit of thoſe Articles in the *Spaniſh* Treaty cannot be claimed here, ſince they are in Favour of our Trade in thoſe Commodities, that ſhall be found laden in our own, and not in Foreign Bottoms.

BUT it is not probable that *Sweden* hath ſuffered or allowed, in any Treaty of theirs with *Spain*, that their own native Commodities, Pitch and Tar, ſhould be reputed contraband. Theſe Goods therefore, if they be not made unfree by being found in an unfree Bottom, cannot be judged by any other Law, but by the general Law of Nations; and then I am humbly of Opinion, that nothing ought to be judged contraband by that Law in this Caſe, but what is directly and immediately ſubſervient to the Uſes of War, except it be in the Caſe of beſieged Places, or of a general Notification made by *Spain* to all the World, that they will condemn all the Pitch and Tar they meet with.

So that upon the whole, your Majeſty's gracious Interceſſion for, and Protection to the Petitioner in his Claim, will be founded, not upon the Equity and true Meaning of your Majeſty's Treaty with *Spain*, but upon the general Law and Practice of all Nations. All which is humbly ſubmitted, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *June* 10. 1675.

I Have, in Obedience to your Majeſty's moſt gracious Order in Council, peruſed the ſeveral Papers tranſmitted to me, concerning the two Ships the St. *Andrew* and St. *John*, and do find, by ſeveral Depoſitions made by and in Behalf of the *Swedes*, that the ſaid Ships being in their Courſe towards *London*, were, on the 13*th* of *March* laſt, ſurprized between *Oldfernes* and *Yarmouth*, by a private Man of War, having a Commiſſion from his Electoral Highneſs of *Brandenburgh*; that the ſaid Ships, with ſome

ſome of the private Man of War's Men put on Board them, were ſince driven by contrary Winds into *Dover*, and there arreſted at the Suit of the Envoy Extraordinary, now reſiding at your Majeſty's Court, from the King of *Sweden*.

As to the preciſe Place where theſe Ships were taken, upon which the main Queſtion depends, the Matter of Fact is ſworn by ſix ſeveral Perſons, that they were firſt ſhot at, and ſeized near the *Engliſh* Shoar, between *Oldfernes* and *Blyſtart*, two whereof ſwear more particularly, that it was done about a League and a half from the *Engliſh* Shoar; that the ſaid private Man of War, both before, at, and after the Seizure, had the *Engliſh* flag up and flying, and that it was not taken down, nor the *Brandenburgh* Colours ſet up, nor did the Captain thereof pretend any Commiſſion from his Electoral Highneſs, till after he had poſſeſſed himſelf of the ſaid Ships, and ſecured the Maſters and ſeveral of their Men on Board his own Veſſel, and till after he had gotten under the ſame Maſters Hands, the Names of their Owners and Freighters, who were all Subjects of the King of *Sweden*. The Deponents add, that they did at firſt believe the ſaid Privateers, by Reaſon of the *Engliſh* Colours, to have been an *Engliſh* Ship, otherwiſe they would not have ſubmitted themſelves, but would and could eaſily have eſcaped by running aſhore, or into Harbour.

The Matter of Fact being ſworn on the *Swediſh* Side to be thus; I do humbly conceive that here is a Proof made of an Affront, and a Violence done to one of your Majeſty's Chambers; where, by the Law, all Merchant-Men are in Safeguard, and all Hoſtilities whatſoever are to ceaſe, and where all Parties, tho' in Enmity, (with one another) are equally to pay a Reverence to, and enjoy the Benefit of his Majeſty's Protection. And therefore your Majeſty hath an undoubted Right to puniſh the Commander of the ſaid Privateer, for the Inſolency he hath committed. Which Puniſhment would not be adequate to his Offence, if he or his Men ſhould be ſuffered to carry away the Fruits of a Rapine, acted contrary to the juſt Permiſſions of War, and in Defiance of your Majeſty's Authority, extending it ſelf to protect all your Friends indiſtinctly. Nor is ſuch a Puniſhment, (as I humbly conceive) any Diſreſpect or Prejudice to the Commiſſion given by his Electoral Highneſs of *Brandenburgh*, much leſs a favouring of one Side more than the other, in the Differences between the Crown of *Sweden*, and his Electoral Highneſs: Since that which ſeems to have been ſuggeſted to his Electoral Highneſs, *viz.* that the Privateer had taken theſe Ships *en plein Mer*, (as his Letter to your Majeſty purports) is not ſeconded with Offers of Proof on the Privateer's Side, who being without peradventure the Author of that Suggeſtion to his Electoral Highneſs, ought to have taken Care to make it good here in your Majeſty's Admiralty. So that there being ſo many Oaths made, (tho' of Perſons intereſſed) that the Veſſels were ſurprized and ſeized upon your Majeſty's Shoar, and within one of your Chambers, and alſo under the Pretence, and with the unſufferable Abuſe of your Majeſty's Flag; and there being no Proofs ſo much as offer'd on the private Man of War's Side, to evince the contrary; it is my humble Opinion, that the *Swediſh* Proprietors be (by your Majeſty's Juſtice in aſſerting your own Rights) put into full and quiet Poſſeſſion of the ſaid Ships and Goods; they firſt giving Security to anſwer your Majeſty (and not any other Perſons) in the full Value of thoſe Ships and Goods, upon an Appraiſement to be made, in Caſe your Majeſty ſhall, within 6 or 12 Months, find upon due Proofs that the Surprize and Seizure of theſe Ships hath not been made in any of your Majeſty's Chambers, but upon ſome other Part or Place of the Seas, where Hoſtilities are uſually permitted.

In diſcharging the Ships upon ſuch a Caution or Condition, there will be a Liberty reſerved for the Envoy Extraordinary of his Electoral Highneſs, or any other in that Behalf, to make out, if they can, that the firſt Seiſure was legal, and not under your Majeſty's Flag, nor in any Place privileged by your Majeſty's Laws, and conſequently to recover, by your Majeſty's Juſtice, the Value of theſe two Ships and their Lading.

This, I hope, will be judged the faireſt Regard that can poſſibly be had to the Commiſſion of his Elector Highneſs in this Caſe, ſince the Honour and Inviolableneſs of thoſe ancient Sanctuaries (the King's Chambers) upon your Majeſty's Coaſts, cannot, as I conceive, be otherwiſe aſſerted. All which I humbly ſubmit, *&c.*

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of Prizes.

My Lords, *Doctors-Commons, June 26. 1675.*

I Have, in Obedience to your Lordſhips Order of Reference, examined the Petition of Mr. *Corſellis*, who, on the Behalf of one *Hunckin* of *Hamburgh*, claims 4 Casks of

of Indico, 12 Barrels of Sugar, and 69 Bags of Ginger, laden at *Rochel* in *April* 1672, on Board the *Golden Serpent*, (called by Mr. *Corſellis*, the *Golden Serpent* of *Hamburgh*, but in the Bill of Lading, and Acts of Court, called the *Golden Serpent* of *Copenhaguen*) *Cl. Hendrickſon* Maſter; theſe Goods, being Part of the Lading of the *Golden Serpent*, were brought into *Plimouth*; the Ship it ſelf, with Brandy, Wine, and other Goods, have been (on the 12*th* of *June*, and 25*th* of *September* 1672, by Sentence firſt in the Admiralty, and afterwards upon an Appeal to your Lordſhips, on the 5*th* of *Febr*, 1673, and the 2*d* of *May* 1674.) reſtored to their reſpective Proprietors; the reſt of the Lading (that Part of it only which was firſt reſtored by the Court of Admiralty, and then by your Lordſhips, excepted) hath, ever ſince the 12*th* of *June* 1672, ſtood condemned by Sentence in the Admiralty, and among it the aforelaid Goods claimed by *Corſellis* for *Hunekin* of *Hamburgh*.

It does not appear that *Hunekin* hath ever made any Legal Claim of the Goods in the Admiralty, nor that he hath had Recourſe to your Lordſhips by way of Appeal, as legally he might, and regularly he ought to do; but he petitions that certain Papers might be referr'd to me, to examine of what Force they are, and to report the ſame to your Lordſhips. Wherein I ſhall beg Leave to obſerve, that if I ſhould report the ſaid Papers to contain in them a full Proof of *Hunekin*'s Property, and conſequently that they are a ſufficient Ground for Reſtitution, I cannot comprehend, under Correction, how the Right acquired to the King, by the Sentence of Condemnation in the Admiralty, can be taken away, but by another Sentence upon an Iſſue joined with the King's Proctor in this Caſe; if, on the other Side, I ſhould report the Papers exhibited to be inſufficient, my Report would not be a ſufficient Ground, as I conceive, for your Lordſhips to give Sentence in Affirmance of mine, for want of having the Caſe ſubſtantiated before your Lordſhips by Iſſue joined, whether the Sentence I gave here below was a good Sentence or not; for tho' your Lordſhips have (in Favour of the King's Allies, and with Regard to his Treaties) great Power and Latitude, as Lords Commiſſioners of Prizes, to proceed by a ſummary Inquiſition, where Ships are brought in upon Suſpicion of being Prize, in order to their Diſcharge without the Rigours of Law; yet when a Sentence is once pronounced for the King's Right in a Prize in his Court of Judicature, I know not how that Sentence may be reverſed, and the King's Property altered, but by another Legal Sentence pronounced in Judgment in Diſaffirmance of the firſt.

Upon the whole Matter, My Lords, all that can be done for *Hunekin* in this Caſe, as I humbly conceive, is to admit him to put in his Appeal before your Lordſhips, upon Motives in Equity, if any do appear, ſince he hath otherwiſe lapſed his Time, and to put him to a Legal Proof of his Property. It is true, there may by Law a Review be made in the Admiralty of the Sentence, whereby *Hunekin*'s Goods have been condemned, ſince it was pronounced in his Abſence, and *in pœnam* of his Contumacy; or elſe it may be done before your Lordſhips, upon his Appeal from the Sentence given in his Abſence; which laſt Way will be more in Favour of him, in Regard that if he begin below in the Admiralty, he muſt be ſubject ſtill to an Appeal to your Lordſhips.

But to give your Lordſhips an Inſight into the ſeveral Papers, which I am commanded by your Lordſhips to examine, they are no more than a Bill of Lading, a Factory, and *Hunekin* the Claimer's Oath, taken before the Magiſtrates of *Hamburgh*, whereby he depoſeth, that thoſe Goods were bought with his own proper Money, and were laden for his own Account, and that no other Perſon hath any Part or Intereſt therein: But in ſuch a Caſe as this, where Goods ſtand condemned out of the ſame Bottom, and where no Claim hath been exhibited in Form of Law, a ſtronger and clearer Proof might have been expected, and not unreaſonably; as for Example, 1. The proving of his Letters of Order to *Manigauld* the Lader at *Rochel*, for the buying of this Quantity, and the Kind of Goods; and conſequently the exhibiting of his Books, Merchantably kept, before Commiſſioners, where the Entry of ſuch Letters was made. 2. A Sight of the Original Letters of *Manigauld*, whereby he adviſeth *Hunekin* of the accepting of his Commiſſion, and how he had executed the ſame, where, without doubt, there would have appeared a Reaſon, why he choſe to lade theſe Goods for *Hamburgh* on a *Daniſh* Ship. 3. By what Means, in what Manner, and at what Time, *Manigauld* at *Rochel* was reimburſed the Value laid out by him in buying the Goods for *Hunekin*. Such Proofs as theſe are made without Difficulty, and beyond all Exception, when the Merchants claiming are in *bonâ fide*; but how far *Hunekin* is ſo in this Caſe, cannot, as I humbly conceive, be diſcerned out of the Papers abovementioned tranſmitted to me, in order to make out his Property in the Goods. All which I humbly ſubmit, *&c.*

L. Jenkins.

To the KING.

May it please your Majesty, *Sept.* 14. 1675.

I Have, in Obedience to your Majesty's most gracious Command, intimated to me by the Right Honourable Mr. Secretary *Coventry*, perused several Depositions and Papers transmitted to his Excellency the Lord Lieutenant of *Ireland*, relating to one *Cheline*, a *French* Privateer, now in hold in *Ireland*. By which it appears,

1*st*, That the said *Cheline* surprized, seized, and by Force carried away a *Dutch* Vessel, called the *North Caper*, laden with *Norway* Timber, out of the Road near or upon the Bar of *Dublin*, and sailed to *Brest* in *Bretagne*, carrying along with him by Force two of your Majesty's Subjects, that happened to be on Board at that Time the said Ship.

2. That he pillaged and robbed three several Ships in his Courses in the Neighbour Seas, all belonging to your Majesty's Subjects, one of a Quantity of Beef, another of Butter, a third of Wine.

3. That at the surprizing of the *Dutch* Vessel, there were, as appeared afterwards upon the taking of *Cheline*, two of your Majesty's Subjects on Board the Privateer, and under his Command in those Actions.

It being your Majesty's gracious Pleasure to require my humble Opinion, how far those Criminals may be prosecuted by your Majesty's Laws, and what is fittest to be done in this Matter?

For the 1*st* Offence, of carrying away a Ship belonging to a Subject of your Majesty's Allies, out of your Majesty's Port, and from under your Protection, I humbly conceive it may be enquired of, and tried before Commissioners of Oyer and Terminer, by vertue of the Statute of 28 *Hen.* VIII. *c.* 15. as a Confederacy within the *purview* of that Statute, acted and executed to the Violation and Affront of your Majesty's Authority, and of the Protection due to all Mankind (that are not your Enemies) in your Ports; but the Punishment of this Violation (since neither this Statute, nor any other Law that I know of, makes it capital) is to be no greater, than by a Fine proportioned to the Insolence, and by Imprisonment of the Captain, his Officers and Crew, during your Majesty's Pleasure.

2 *dly*, As to those Provisions or Victuals that this *Cheline* pillaged your Majesty's Subjects of, his Danger will be greater; for, as I humbly conceive, he may be indicted upon the same Statute, in the same Manner as if this Robbery had been committed upon the Land; and if that which he did at Sea be found in the Value of the Things taken away, and in the Manner of doing it, to amount to that which the Law of *England* would have made Robbery if acted upon the Land, and he being thereof convicted, will have Judgment of Death given against him as a Felon, and without Benefit of Clergy. The same, I conceive, will be the Case of as many of his Officers and Crew, as shall be found Principals with him in these Facts, of pillaging the *English* Ships.

But *Cheline*, upon his Examination, pretends, that he gave a Bill for the Wine to the Master from whom he took it; 'tis true, there is a Clause in the Statute, that saves those that, being compelled by Necessity, shall take Provisions at Sea, and either pay for them, or give sufficient Bills for Payment; and so he may be cleared, if he satisfie the Jury concerning the Wine; but whether he have the same Plea for the rest of the Goods, doth not appear. Nor can his Commission of War (which, for ought I can perceive by the Copy, is in due Form) be extended to excuse him; for that Commission is against the Enemies of the Most Christian King; but the pillaging of that King's Friends, is made Death even by the Law of *France*. *Ordinance du Roy* Hen. III. *sur le fait de l'Admirauté Artic.* 64.

All these Proceedings to be had before Commissioners of Oyer and Terminer, I humbly offer to Consideration, upon Supposal that there is a Statute now in Force in *Ireland*, of the same Tenor and Purport with that of 28*th* of *Hen.* VIII. *c.* 15. for the trying of Pirates. So that I do not see any Difficulty, but that your Majesty's Ministers of Justice there, may bring this *Cheline* to answer the Law, and suffer according to his Demerits. Nor will there be any Pretence of *Renvoy* into *France* to be tried there, since that is a Practice not observed in *France*, (nor any where else that I know of) where your Majesty's Subjects happen to be deprehended in capital Crimes. Such a *Renvoy* may indeed be provided for by Treaty, and sometimes hath been put in Practice upon special Considerations, and in Crimes of State: But I know of no such Article with *France*, nor is it usual any where in Cases of this Nature, or in Persons of this Condition.

As

As for the *Engliſhmen* that were on Board this Privateer, if they eſcape hanging as Pirates with the *French* Captain, for robbing their Fellow Subjects, they may, as I conceive, be fined and impriſoned too, for taking Arms under a Foreign Prince, without your Majeſty's Leave, and contrary to the Law and your Majeſty's Proclamation. However it will be worth the Enquiry ſtrictly, how he (eſpecially) that pretends to have been once Maſter of a Ship, and to have loſt it, is come to follow this Trade. For there are ſome Maſters of Ships that take up great Sums of Money upon Bottomry, and then wilfully caſt away their Ships, (which is Felony by the Law of *England*) and then they betake themſelves to privateering with Foreigners, which is an intolerable Abuſe, and is one of the Cauſes among many others, of Maſters of Ships, that Merchants make uſe of foreign Bottoms, rather than our own, to the great Decay of our Shipping, and Prejudice of Trade. All which I humbly ſubmit to your Majeſty's Royal Wiſdom.

L. Jenkins.

To the KING in Council.

May it pleaſe your Majeſty, *Novem.* 20. 1675.

I Have, in Obedience to your Majeſty's moſt gracious Order in Council, called before me the Parties concerned in the *Hope* of *Hamburgh*, as well the Privateer and his Company on the one Side, as the intereſſed in that Ship and Lading on the other, in Order to take ſuch Proofs as either Side ſhould offer, to aſcertain the true and diſtinct Place upon your Majeſty's Coaſt, where the ſaid *Hope* of *Hamburgh* was taken by the *French* Privateer. The intereſſed did hereupon alledge their Matter, produced their Witneſſes, and publiſhed their Depoſitions within the Time prefix'd.

But the Privateer took Exceptions, and demurr'd to the Juriſdiction of the Admiralty; alledging, that he was to make his *Rapport* in *France*, according to the marine Ordinances, and not in any other foreign Judicature or Place whatſoever: This Exception or Demurr was overruled, the Court of Admiralty not demanding any *Rapport* from him, or Account of his Proceedings, *ex officio*; but proceeding at the Inſtance of a Party, *viz.* the *Hamburgher*, which alledged the Capture to have been in a Place privileged, and conſequently to have been void: The laying Claim to your Majeſty's ſpecial Protection, as of Right due to him in this Caſe, it was neceſſary to find out, and fix the true and diſtinct Place where the Capture was made, that being the Hinge upon which this Queſtion turns: for it ſeems to me undoubted, that if the Privateer took this Prize in a Place, where neither your Majeſty, nor your Royal Progenitors, have uſed to interpoſe in the Hoſtilities of Neighbours in War, the Privateer ought to be diſmiſſed with his Prize (excepting the Goods of *Engliſh* Property on Board it): But if he took it in ſuch a Place, where by the Laws of this Realm, by the Cuſtom of theſe Seas, and by the Practice of all Neuter-Territories, your Majeſty's Officers are bound in Duty to keep the publick Peace, and to reſtrain all Hoſtilities and Violences between all Nations whatſoever, this *Hamburgher* is to be defended in, or at leaſtwiſe reſtored to his Property, no leſs than if the Attack had been upon his Perſon or Goods in *London* Streets.

The Witneſſes produced by the intereſſed were four, *viz.* two of the Ship's Company, the Maſter and Steerſman, both of them Natives of *Hamburgh*; the other two were Paſſengers. They all four depoſe;

1. That this Ship was bound from *Hamburgh* to *London*. 2. That in Proſecution of their Voyage, they did arrive on the 18*th* of *September* upon the *Engliſh* Coaſt, about half a League within the Beacon of *Ordfornes*: their Words are, — within the Channel before the Church of *Ordfornes*, about a Muſquet Shot from the Shoar. 3. They all four depoſe, that they had caſt Anchor at five Fathom Water, and were at their Prayers to give God Thanks for their ſafe Arrival, when the Privateer firſt haled them. 4. They depoſe, that the Privateer coming along the Shoar from *Harwichward* haled them, and attempted to come on Board, but could not at that Tide, it running too ſtrong againſt them; that when the next Flood came, ſeven of the Crew, out of the Privateers Boat, armed with Swords and Piſtols, came on Board the *Hope*, and carried her away. 5. The Maſter depoſeth, that he had made about fourty Voyages between *Hamburgh* and *London*, and that he ever heard and took the Place in Queſtion, to be within the King's Chambers, and the Steerſman ſays to the ſame Effect. This is all that I conceive is material in thoſe Depoſitions, to deſign and fix the particular Place of the Capture.

The Privateer, after long delaying, and with Proteſtations not to ſubmit to the Juriſdiction of the Court, produced on his Behalf but one Witneſs, *viz.* Mr. *Thomas Langley*, the Mayor of *Harwich*; all he depoſes is to this Effect, —That *Andreas Rump*,

Maſter of the *Hope*, did declare, (being examined by him the ſaid *Langely* as Mayor of *Harwich)* that his ſaid Veſſel was taken about a League from *Ordfornes*, which ſaid Place (ſaith Captain *Langely* in his Depoſitions) is at leaſt four Leagues out of the Reach of *Languard* Fort Guns, and more than five without the uttermoſt Buoy of the Gunfleet. Which ſaid Place of *Ordfornes*, he ſays, was never accounted, by experienced Perſons, to be within the King's Chambers; and ſaith, that he, as Maſter and Commander of ſeveral of his Majeſty's Ships, hath often ſailed by the aforeſaid Place of *Ordfornes*, and if it had been within the King's Chambers, he muſt needs have known it. To another interrogatory he anſwereth, that he is a Member of the *Trinity-Houſe*; that he hath uſed the Sea about thirty four Years; that Ships do caſt anchor, and ride at the aforeſaid Place of *Ordfornes*, but that it is no Place of Safety. In the reſt of his Depoſitions, I have not obſerved any Thing further material in this Point. There was exhibited likewiſe a Certificate of one *Francis Izod*, Deputy Governour of *Languard* Fort; but in that I find no more of the Place of the Capture, but that the *French* Privateer took the *Hope* of *Hamburgh* off *Ordfornes*, about 12 Miles diſtant from *Languard* Fort.

This, may it pleaſe your Majeſty, is all the Evidence now in the Admiralty, touching the ſpecial diſtinct Place where this Capture was made.

As to the Credit of theſe four Witneſſes, that were in the *Hope*, I ſhall not preſume to ſay more, than that the marine Law ſets a great Value upon the Teſtimony of Paſſengers (as here are two) where they are not interreſſed in the Succeſs of a Suit.

I humbly beg leave to take notice, that the Inference which Captain *Langely* labours to make in his Depoſitions, (as if the reach of *Languard* Fort Guns, or the outmoſt Buoys in the Gunfleet, were the Limits of your Majeſty's Chambers there) is a Contradiction, not only to a moſt ſolemn ancient Verdict of twelve Men upon Oath, remaining upon Record, and publiſh'd all the World over, but alſo to an univerſal Tradition amongſt us touching the King's Chambers, and conſequently a great Injury to the Crown: I am ſorry to ſee an *Engliſhman*, and a Member of *Trinity-Houſe*, (as he ſays he is) ſhould make a Journey from *Harwich* hither, and be the only Witneſs produced to this Effect in this Caſe; it is to be feared, that the Depredations daily committed upon theſe Coaſts, have too much Connivance, if not Countenance, at *Harwich*; for it is ſworn directly by two Witneſſes, that the Veſſel was trimm'd up and furniſh'd with Arms at *Harwich*, at the Charge of one *Andrew Carr*, the Poſtmaſter there. This Mr. Mayor ought to have taken notice of and prevented; (for it was very notorious) not only becauſe this arming and equipping is againſt the preſent Neutrality, and ſeveral of your Majeſty's Treaties, but alſo that it is a more unſufferable Abuſe, that a Veſſel, *Engliſh* built, mann'd with *Engliſh* (except the Captain) and ſome of them Pirates convict, but pardoned, ſhould be ſuffer'd to go out of your Majeſty's Port, under Pretence of a foreign Commiſſion, being neither able, or deſigning to do any Thing, but to diſturb the Trade and Commerce to and from your Majeſty's Ports.

But the Queſtion here being, as the Fact is ſtated, not whether the Prize was ſeized in one of the King's Chambers, but whether it was taken out of a Port, Haven, or Road, at leaſtwiſe out of a Place that comes naturally and properly under one of thoſe Denominations; and your Majeſty having reſerved to yourſelf to declare your Determination and Royal Pleaſure therein, I ſhall only lay before your Majeſty the Words of your Royal Proclamation, dated the 8*th* of *February*, 1667-8.

"OUR Will and Pleaſure therefore is, 1*ſt*, That within Our Ports, Havens, " Roads and Creeks, as alſo in every other Place or Tract at Sea, that may be rea- " ſonably conſtrued to be within any of theſe Denominations, Limits, or Precincts, " there ſhall be an inviolable Truce and Ceſſation of Hoſtilities between all Perſons " and Parties whatſoever: And that no Force, Violence, Surprize, or Offence, ſhall " be done either from Man of War to Man of War, or from Man of War to Mer- " chant, or from Merchant to Merchant, that happen to be in Hoſtility the one " againſt the other. But that all, of what Nation ſoever, ſo long as they ſhall be " within Our Ports, Harbours, or other Places, reputed to be within Our more " immediate Protection, and where Our Commanders and Officers are accountable " for the publick Peace, ſhall be underſtood to be under Our ſpecial ſafe Conduct, " and muſt keep the Peace inviolably each with other. And We do further declare, " that the Ships and Goods of all Aggreſſors, Actors, and Offenders whatſoever, againſt " the true meaning of this Our Proclamation, are and ſhall be *ipſo facto* confiſcate, " and proceeded againſt in Our High Court of Admiralty, to Sentence and Condem- " nation, according to Law, notwithſtanding any Commiſſion of War, or Letters of " Reprizals, ſuch Offenders may have, or pretend to have, for their Juſtification.

" 2. We

" 2. We will and command, that all our Officers and Subjects by Sea and Land, " do, as much as in them lies, prohibit the roving and hovering of Men of War, ſo " near the Entry of any of our Harbours, or our Coaſts, as that Merchant-Men " homeward or outward bound, to and from any of our Ports, ſhall apprehend their " Paſſage to be unſafe, or their Danger of being ſet upon and ſurprized, to the hin- " dering and diverting of Trade and Commerce from Our Ports: And We ſtrictly " charge and require Our Officers and Subjects, to reſcue, ſuccour, and defend, all " Merchant-Men and others, that ſhall happen to be ſet upon, or ſurpriz'd ſo near " Our Coaſts, or the Entry of Our Harbours, as may eaſily be conſtrued to be under " Our more ſpecial Care and Protection; and that they apprehend and ſeize all " Offenders in this Kind, in order to bring them to condign Puniſhment, for diſturb- " ing and hindering the Trade and Commerce between our Subjects, and thoſe of " Our Neighbours and Allies." All which, *&c.*

L. Jenkins.

To his Excellency the Portugal *Ambaſſador. Tranſlated from the* French.

My Lord,

HAVING peruſed the ſeveral Papers relating to the Sieur *Marevil*'s Pretenſion from *Don Franciſco de Mello*, late Lord Ambaſſador of *Portugal*, it appears by Mr. *Marevil*'s own Affidavit, and by the Teſtimony of two other Witneſſes, that he enter'd into the ſaid Ambaſſador's Service in *July* 1664, as one of his Gentlemen; that in 1667, he was made his Secretary, and continued in that Function till the Ambaſſador died in *July* laſt, which are 14 Years. It appears alſo by Certificate from one of the Executors, who was alſo Steward to the ſaid Ambaſſador, that Mr. *Marevil*'s Wages were 15 *l. per Ann.* which amounted in 14 Years to 210 *l.* out of which he owns to have received at ſeveral Times 120 *l.* and pretends there remains ſtill in Arrear due to him 90 *l.* but ingenuouſly adds, that if Mr. *Barboza* (who was Steward) will make Oath, that he hath received by his Hands, or with his Knowledge, any more Money for Wages from the ſaid Ambaſſador, or by his Order, than the Sum of 120 *l.* he will refer himſelf to his Oath, and be contented that ſuch a Sum as he the ſaid *Barboza* ſhall ſwear, that he, Mr. *Marevil*, hath received over and above the ſaid 120 *l.* be defalked out of the 90 *l.* which he now pretends to be due to him.

Mr. *Marevil* alledgeth alſo upon Oath, that he often preſſed in the Life-time of the ſaid Ambaſſador, for Payment of the ſaid Arrears, but was ſtill put off; and 'tis certified by the two Executors, that he preſſed the ſame ſince the Ambaſſador's Death; but that the Counteſs of *Penalva* would not concur with her Co-Executors, in paying the ſame. But it doth not appear by any ſufficient Proof or Certificate, much leſs by any Atteſtation on Oath, that the Time of *Marevil*'s entering into the ſaid Ambaſſador's Service is conteſted, or that there hath been any more paid to him than what he owns to have received.

So that, as far as appears to me, Mr. *Marevil* is founded lawfully to demand the full Payment of the ſaid Arrears of 90 *l.* as a Debt due upon the Eſtate of *Don Franciſco de Mello*, and his Executors.

As to the Exception, that Mr. *Marevil* hath a Legacy given him by the Will of the Deceaſed, and conſequently, that the Amount of that Legacy ſhould be deducted and defalked out of the ſaid Sum of 90 *l.* it may be thus anſwer'd, that the diſpoſitive Words of the Teſtament are pure and ſimple; nor is there any Thing in Proof, whereby the Intention of the Teſtator is made out to be otherwiſe.

Besides, by the Law and Cuſtom of *England*, (where this Queſtion, if it were between common Perſons, were to be decided) Servants Wages are to be paid in the firſt Place, and before all other Debts, not due by Specialty or Writing; and if the Preſumption of Law is, that when a Teſtator gives a Gift in the Nature of a Legacy, to one to whom he ſtands indebted, he intends it not in part of Payment of the Debt owing, but as a free Gift; for to intend or diſpoſe otherwiſe, is but a meer Illuſion, and to give nothing. I am, *&c.*

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of Prizes.

My Lords, *May* 30. 1674.

I Have, in Obedience to your Lordſhips Order, peruſed the Depoſitions taken, and the Proceedings had, both in *Scotland* and in this Court, touching the Ship the

Tor-

Tortoiſe of *Nantes*, brought up to *Leith* in *Auguſt* laſt, and contended for between *Ramkin* a *Scotch* Privateer, and his Majeſty's Sub-Commiſſioners in *Scotland*.

It is not conteſted on either Hand, but that this *Tortoiſe*, together with two Prizes more, the one, the St. *Peter* a *French* Veſſel; the other, the *Mevis* an *Engliſh* one; was in the Poſſeſſion of a *Fluſhing* Privateer, called the *Lamb*; and had been ſo for 5 or 6 Weeks before, when his Majeſty's Frigate the *Nightingale* came up to them. And it is agreed, that the *Nightingale* engaged the Privateer, and chaſed him away; ſo that after an Hour's Reſiſtance, and ſeveral Shot by him made at the *Nightingale*, that was come up within half a Cannon Shot of him, and of the *Tortoiſe* alſo, he fled; leaving the *Tortoiſe* and his two other Prizes behind him, being no longer able to defend them. The *Nightingale* having thus chaſed away the *Dutch* Privateer, rendered himſelf Maſter of the St. *Peter* and the *Mevis*, two of his Prizes; but before he could come up to the third, which was this *Tortoiſe* in Queſtion, one *Ramkin*, a *Scotch* Privateer, had made it ſtrike, and had boarded and mann'd it with *Scots*.

At that Time that the *Nightingale* came up to the *Tortoiſe*, a *French* Frigat, the *Galliard*, (that had been commanded to attend the *Nightingale*) was in Diſpute with the *Scotch* Privateer, which of them two ſhould have this *Tortoiſe*, the *Galliard* having chaſed it, and ſhot at it, but at too great a Diſtance; but *Ramkin* having firſt made it ſtrike, and then boarded and poſſeſſed himſelf of it. However, the Captain of the *Nightingale* put ſome of his own Men on Board this *Tortoiſe*, who brought it to *Leith*, and delivered it to your Lordſhips Deputies there. The *Scotch* Privateer enter'd his Claim in the Admiralty there, that the *Tortoiſe* might be adjudged to him as Prize, which he had ſubdued, and taken by his own Force and Addreſs. The Sub-Commiſſioners oppoſe him, inſiſting on two Things, 1 *ſt*, That the *Nightingale* having chaſed away the *Dutch* Privateer, and diſabled him from defending any longer the Poſſeſſion he had of the *Tortoiſe*, was the ſole Cauſe that the *Scotch* Privateer durſt attempt it; as alſo that *Ramkin* had not aſſiſted, or in the leaſt contributed to the driving away, or keeping off the *Dutch* Privateer. The other Thing is, that the *Nightingale* was, at the ſame Time that *Ramkin* boarded the *Tortoiſe*, in Purſuit of her, and not much above a Cannon Shot from her; and that the *Nightingale* was ſo ſwift a Sailer, that the *Tortoiſe* (tho' *Ramkin* had not at all come in) could not poſſibly have eſcaped, and ſaved her ſelf.

I do not find that *Ramkin* hath any Thing material to oppoſe to the *firſt* Point, his Force being not above 4 or 5 Guns, and the *Dutch* Privateer carrying 34 or 35. So that *Ramkin* did not, nor durſt attempt any Thing upon him, or upon any of the three Prizes in his Poſſeſſion.

The 2*d* Point he doth conteſt, and there are three of his Crew that have depoſed; That when *Ramkin* and his Crew boarded the *Tortoiſe*, the *Nightingale* was more than 9 *Scotch* Miles right under the Lee to the *Tortoiſe*; and that if they had not ſeized her, ſhe might certainly have eſcaped the *Engliſh* and *French* Frigates; it being two in the Afternoon, (about the 28 *th* of *July*) and the *Tortoiſe* a good Sailer.

To the Teſtimony of theſe three Men, is oppoſed the Legal Objection of their being Parties intereſſed, and to have a Share, if this prove to be their lawful Prize: And alſo the Oaths of three of the *Dutch* Privateer's Company, whom he had put into this *Tortoiſe* to navigate it, are oppoſed to that Teſtimony: He that the *Dutch* Privateer had put in for Maſter in the *Tortoiſe* depoſed, that when he was taken by *Ramkin*, they were in Sight of the *Nightingale*, and had been ſo all along ſince the *Nightingale* firſt engaged the *Dutch* Privateer; and that when the *Tortoiſe*, being ſhot at by *Ramkin*, ſtruck to him, the *Nightingale* was not within Cannot Shot at that Time; (he being in Purſuit of the two other Prizes) but when *Ramkin* boarded it, he (the *Dutch* Maſter) cannot poſitively depoſe, if the *Nightingale* was within Cannon Shot or not. Another of thoſe *Dutchmen* depoſes poſitively, that when *Ramkin* boarded them, the *Nightingale* was not within Cannon Shot; ſo depoſes the third; adding, that the *Nightingale* was making towards the *Tortoiſe*, when the *Scotch* Privateer did board it. One of theſe *Dutchmen* being upon a Re-examination interrogated, whether the *Tortoiſe*, if *Ramkin* had not boarded her, could have eſcaped the *Nightingale*? depoſes negatively; giving for Reaſon, that none of the three Prizes was in any Poſſibility to eſcape, they being all at ſo near a Diſtance to the *Nightingale*, that conſidering the *Nightingale* the better Sailer, if any of them had attempted to fly, ſhe had eaſily overtaken them. The *French* Maſter of the *Tortoiſe* being examined in this Court, depoſes, that he was a Priſoner on Board the *Dutch* Privateer, when the *Nightingale* beat him off from his three Prizes; that the *Scotch* Privateer appeared not ſtanding towards the Prizes, till the *Nightingale* had actually poſſeſſed the St. *Peter* and the *Mevis*; and that ſhe was ſtanding for, and very near the *Tortoiſe*, and made

made much Way upon her, when *Ramkin* came in; ſo that ſhe could not have eſcaped the *Nightingale*. He depoſes further, that the *Scotch* Privateer durſt not have approached the *Dutch* Privateer, or any of its Prizes, nor could poſſibly have taken the *Tortoiſe*, had not the *Nightingale* firſt put him to Flight; that the *Nightingale* was a ſwift Sailer, and made twice the Way that the *Tortoiſe* was able to do, ſo that it was impoſſible for the *Tortoiſe* to have eſcaped the *Nightingale*. Thus the *French* Maſter.

Upon this Matter of Fact, My Lords, as it lies in the Proofs, it is my humble Opinion, that the *Tortoiſe* ought to be adjudged the lawful Prize of the *Nightingale*, the *Nightingale* having firſt, and alone, put it out of the *Dutch* Privateer's Power and Protection, then having never loſt Sight of it, but having had it ſtill in View and in Chaſe, and in all the moral Certainties poſſible of undertaking and ſubduing, at that Time when the *Scotch* Privateer intervened. The Law in theſe Caſes, in Favour of Courage and Induſtry, not allowing the Occupancy of one that caſually intervenes, without encountering any Difficulty or Danger, to deprive a Man (that is in freſh Purſuit) of the Reward of his Hazard, and the Fruit of his Pains. And he who has ſo diſabled his Enemy, that he hath not any Poſſibility, either by Force or Addreſs, to eſcape him, is, in the Judgment of the Law, Maſter of him, notwithſtanding any caſual Interception, as ſoon as 'tis morally certain his Enemy cannot eſcape his Hands. But if it had been in the Proofs, that this *Scotchman* had met with any Reſiſtance from the *Tortoiſe*, or aſſiſted in beating off the *Dutch* Privateer, I ſhould have been of Opinion, he ought to have been admitted to a Share in the Prize. All which, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Feb.* 23. 1670-71.

In Obedience to your moſt gracious Order, I have conſider'd of the 16*th* Article of the late Treaty with the *French* at *Breda*; and do with all Humility lay at your Majeſty's Feet theſe few Lines upon that whole Matter.

1. That by the Treaties of *England* made with *France*, in the Years 1606, 1632, and 1654. the Party wronged was to make his Purſuit for Reparation, firſt before the ordinary Courts of Juſtice, then before the King himſelf, where the Wrong was pretended to have been done; and if a Denial of Juſtice in both Inſtances was made manifeſtly to appear, Repriſals were to iſſue out, and not otherwiſe.

2. That in your Majeſty's Treaty with *Spain* in 1667, and with the United Provinces in the ſame Year at *Breda*, the ſame Method of making Inſtances ordinary and extraordinary is indiſpenſably preſcribed, before Repriſals can be ſued out; ſo it is in the Treaties between *France* and *Spain* at *Madrid* 1526; at *Verſein* 1598; and at the *Pyrenees* 1659. Nor do I know of any Treaty, either ancient or modern, wherein Proviſion is made for this Caſe, but it requires a Legal Proceſs firſt in the Law Courts, then an Appeal or Supplication to the Prince or Supream Power, before ſuch a Denial of Juſtice can be ſtood upon, as is to be repaired by Letters of Marque or Repriſals.

That the Word Denial of Juſtice, is expreſs in all the forementioned Treaties, and is to be underſtood as a Term of Law, which preſuppoſes Proceedings to have been had before a competent Judicature: For Repriſals being nothing elſe but Execution awarded (with ſome violent Circumſtances) upon a Debt or Damage, the Debt muſt be firſt liquidated, and proved by due Courſe of Law, as in the Caſe of a private Debt between one Neighbour and another. And that Repriſals are governed both in the Proceſs and Execution, by the ſtrict Rules and Meaſures of recovering ordinary Debts or Damages, is evident, in that the Reprizer muſt have his Cauſe deduced, and his Loſſes, upon due Proofs, ſtated in his very Commiſſion; and if he light on a richer Prize than his Loſſes are ſtated at, he muſt refund the Overplus by the Law.

I do not deny, but that Soveraign Princes in their Treaties may ſo alter and abridge the Solemnities of Law now obſerved all *Europe* over in this Caſe, as to reduce all Formalities to the hearing and determining of their own Councils of State, or of their Publick Miniſters Abroad, without other Inſtance or Proceſs. But that this is already done or provided for by the Article now in Queſtion, I dare not affirm. For,

1*ſt*, As it is a certain Rule in Law, that no Statute or Conſtitution ſhall be interpreted to reſtrain and derogate from an ancient Law or Cuſtom univerſally received, further than the Words of ſuch Statute are expreſs and deciſive: So it is in Treaties, they are not to be underſtood as altering or reſtraining the Practice generally received, unleſs the Words do fully and neceſſarily infer an Alteration or Reſtriction. Therefore if this Article, as it ſtands, be conſiſtent with the ancient general Law, and with the Practice upon all former Treaties, I know not how it can be interpreted to introduce a new Method, and a Practice hitherto unknown in Repriſals. *Se-*

Secondly, The publick Miniſter cannot (as I humbly conceive) be conſtituted a Judge, and the ſole Judge in theſe Caſes, without ſuch Words in the Article, as are operative enough to erect a new Judicature. For ſuch a Juriſdiction as this, (to cognize originally, and to determine *ſans reſſort*) will not paſs, by any Law or Precedent that I know of, in theſe Words, *viz.* to enquire into the contrary, or to procure Satisfaction, which are the very Words, and no other, in the Article. It being a certain Rule, that no Branch of Juriſdiction, or judicial Power, paſſes from Princes, and veſts in their Subjects or others, but by ſuch ſpecial Words, as are the true and ſtrict Notions, and the known and undoubted Meaſures, in the granting and conveying any Part of their *Regalia* out of themſelves.

Thirdly, The Words of this Article require, that two Things be done, in Order to Reprizals. 1. A Proof muſt be made, that Juſtice hath been denied. 2. A Petition muſt be preferr'd to that Miniſter, or Prince, from whom Reparation is pretended. Theſe two Things ſtand in the Article ſeparate, and in this Order. Therefore if the Denial of Juſtice muſt be firſt proved, before the Petition be preferr'd, (as the Words in the *Latin* do require ſomewhat more clearly than in the *Engliſh*) it follows neceſſarily, that this Denial muſt not be taken for the ill Succeſs, or Repulſe upon the Petition, but muſt refer to a Judgment given in ſome Court of Law, before the Petition was preferr'd: For Juſtice cannot properly be ſaid to be denied, but where Inſtance is made before a competent Judicature, ſince thoſe only can be ſaid to have denied us Juſtice, from whom we may challenge it, as the Duty of their Place. Beſides, this Treaty requiring, that the Denial of Juſtice do manifeſtly appear, is to be explained by the *French* Treaty in 1632. which ſays, this Manifeſtation muſt be *par des bons actes*, and that can be no other, than the Records of a Court of Juſtice, or elſe Proteſts and Proofs in due Form, that the Complainant was either too much delay'd, or elſe repulſed, and could not be heard in Judgment.

Fourthly, If the meaning of this Article be, that no other Inſtance is to be made, but before the Ambaſſador reſiding here, and that he is to give his final Determination within four Months, there would be much Difficulty in our preſent Caſe, if Mr. *Martin* were now to begin. For it being *de Jure Gentium*, that the Defendant be not concluded before he be heard, but that he have a competent Time to come in, if he pleaſe, and anſwer for himſelf; the Ambaſſador, if he muſt give his Sentence within four Months, would be forced to give it againſt the Defendant, without hearing him, and without affecting him with a juſt Contumacy; and ſuch a Sentence muſt needs be abſolutely void and unjuſt; and the rather, that Perſons wholly innocent muſt ſuffer in the Execution.

Nor would the latter Part of the Article thus underſtood, be without its Convenience; for putting the Caſe that an *Engliſhman* has done the like Wrong to a *Frenchman* in the *Indies*, as the Sieur *de Barr* hath done to Mr. *Martin*, and that your Majeſty had not an Ambaſſador at this Time in the *French* Court, in this Caſe, the *Frenchman*, by this Article, were to repair hither, and to petition your Majeſty for Redreſs; now upon Suppoſal that this Article doth diſpenſe with the Neceſſity of Proceeding in the ordinary Judicatures here, the *Frenchman* muſt have what he asks within four Months after the putting in of his Petition, or elſe his King would be at Liberty to grant Reprizals againſt the *Engliſh*, which would be a Conſequence ſomewhat ſurprizing.

So that upon the whole Matter, I do (with Submiſſion) conceive, that a ſingle Inſtance before a publick Miniſter, by Petition, is not a ſufficient Ground to plead Denial of Juſtice; there muſt be Proceedings had in the Law Courts, before the Inſtance by Petition can be regularly begun, notwithſtanding any Words in the *16th* Article of the Treaty.

Yet this Article is not without a ſpecial Benefit and Eaſe to the Subject; for the Attendance of a Subject wronged, was anciently not limited to any Time, and the laſt Scene of Appeal or Supplication to a foreign Prince, always proved more intricate and tedious than the firſt, upon the ordinary Judicatures: For in the ordinary Judicatures, the Law of the Place would bring a diligent Complainant, either to a Sentence upon the Merits of his Cauſe, or elſe to a warrantable Opportunity of Appealing from the Delays of the Court; but in Delays before the Prince or Council, there was no ſuch Remedy, till in this and other modern Treaties, the Time was limited to three or four Months, beyond which, no Man is bound to wait for an Anſwer.

So in your Majeſty's Treaty with the united Provinces at *Breda*, there are three Months allow'd for this Sort of Inſtance, and three Months by *Cromwell*'s Treaty with the *French*, but now there is one Month more added by this Treaty, which muſt not, as I conceive, be underſtood to be an Alteration of the General Courſe of Na-

Nations, but rather an adjourning only of this kind of Rupture to a further Day, in Favour of Peace, and of a tenderer Amity between two ſo mighty and ſo near Allies: And ſome ſuch Precautions more than ordinary, have been frequently inſerted into the Treaties of thoſe Two Crowns, as in the Treaty of the Year 1606, between thoſe Kings of glorious Memory, your Majeſty's two Royal Grandfathers, it is provided, that after all Formalities in Judgment, and all Inſtances at Court uſed, no Letters of Repriſal ſhall iſſue out, but that the Ambaſſadors for that Kingdom, againſt which they are granted, be firſt advertiſed of them; and that the Letters themſelves be in the Form intended, ſubjected to a publick View, and an open Debate in Council, before they be delivered out for Execution.

As for the other Branch of your Majeſty's Command, touching what is fit to be done for Mr. *Martyn*'s Relief, I dare not offer your Majeſty any Thing, leaſt I ſhould take wrong Meaſures, having not ſeen the Moſt Chriſtian King's Orders, for the Reſtitution of the laſt Ship ſeized on by the Sieur *de Barre*; nor been acquainted with the Inſtances that your Majeſty's Officers in the *Weſt-Indies* have made, for Reparation of his Damages made upon the firſt Ship; only I fear there can ſcarce be any Expedient effectual for this, and other the like Accidents, unleſs your Majeſty and the Moſt Chriſtian King ſhall pleaſe to commit the ſtating of all Loſſes, and the ſatisfying for Depredations in thoſe diſtant Parts, to certain Commiſſioners on both Sides, reſiding upon the Places of neareſt Correſpondence in thoſe Parts. I mention this, becauſe it was (if I am not miſtaken) the Way whereby theſe Sorts of Differences were effectually regulated between *England* and *France* in Queen *Elizabeth*'s Time. All which I do with all Humility ſubmit, *&c.*

L. Jenkins.

To the KING, and the Lords of His Majeſty's moſt Honourable Privy Council.

May it pleaſe your Majeſty, *March* 1. 1666.

THE Matter of Fact touching the *Daniſh* Ship made Prize in *Scotland*, and ſince arreſted at *Newcaſtle*, (whereof I am, in Obedience to your Majeſty's moſt gracious Order in Council, to give an Account) ſtands thus repreſented.

1. That *Lee* and *Smith*, who claim this Ship and her Lading, obtained your Majeſty's Licenſe, dated *Feb.* 23. 1665. to bring *Eaſtland* Commodities from *Norway* to *London*, in Foreign Bottoms, and having given Security (as your Majeſty had directed) in the *Cuſtom-Houſe*, his Royal Highneſs granted his Paſs, dated the 28*th* of the ſame Month, to bring the St. *Jacob* of *Larwick*, the Ship in Queſtion, from *Norway* hither; but that Paſs was not on Board, nor any Copy of it, at the Time of the Capture.

2. That *Murrey*, a Privateer commiſſioned in *Scotland*, took this Ship on the Coaſt of *Norway* the 19*th*, and brought her into the Road of *Leith* the 29*th* of *June* laſt; that on the next Day after, the Skipper and Pilot were brought on Shoar, and examined upon Oath before the Judge of the Admiralty (in a Tavern) at *Leith*; and after Examination, Sentence paſſed to condemn the Ship and Lading as Prize the ſame Day, and in the ſame Tavern. From which Sentence it does not appear that there is any Appeal depending.

3. It is ſworn by the Skipper here, that at the Time of his Examination before the Judge at *Leith*, he did upon his Oath acquaint him with the Intereſt and Concern of *Lee* and *Smith*; as alſo with what had been told him at *Norway* of your Majeſty's Licenſe, and of his Royal Highneſs's Paſs. And both the Pilot and Skipper depoſe, that they ſaid, upon both their Examinations, that they were bound with their Ship for *London*; but the Copies of thoſe Examinations that are put into my Hands, mention nothing at all of thoſe Particulars, but do expreſly purport, that the Ship belonged to *Norway*; that the Company were *Daniſh* Subjects; that the Papers aboard her were the Skipper's Papers, one of them being a Sea-brief from the Town of *Larwick*, another, a Licenſe from one of the Owners of the Lading, for the Maſter to ſail whither he pleaſed for a good Market, none having Intereſt in the Goods but himſelf, and other *Daniſh* Subjects.

4. There is an Affidavit on *Thompſon*'s Behalf, that this Sentence was paſſed 14 Days before he came to *Leith*, that he hath actually paid 1,300 *l.* for this Prize, and hath a Bill of Sale, dated *Aug.* 12. from *Murray*.

5. That the Ship being ſailed to *Newcaſtle*, was arreſted in Point of Property by *Lee* and *Smith*, but is now in the Poſſeſſion of *Thompſon*, upon Bail given in the Admiralty to reſtore it, or anſwer the Value, in caſe ſhe ſhould be adjudged to them.

The Matter of Fact being thus, the Queſtion is, whether, if *Thompſon* do prove, *firſt*,

firſt, that he bought this Ship and Lading, and hath *bonâ fide* paid for them: 2 *dly*, that the Seller *Murray* had a Sentence of Condemnation given him by a competent Judge, and that Sentence be not appealed from, whether then the Court of Admiralty ought not to diſmiſs the Cauſe, and leave *Lee* and *Smith* to their Remedy againſt this Sentence, at the proper Tribunal of Appeal from it?

The Arguments for the Affirmative, or for diſmiſſing the Cauſe to *Scotland*, are,

Firſt, From the Rules of the Civil Law; the ordinary Remedy againſt a Sentence is, by way of Appeal: Every Sentence, after the Time limited to appeal from it, being to be taken *pro veritate*, or till it appear to be otherwiſe by the Sentence of a competent Judge that ſhall reverſe it. That we are not competent in this Caſe is evident, in that there lies no Appeal hither from *Scotland*, and conſequently that we have no Means to compel that Admiralty to tranſmit their Acts and Proceſs hither; yet without the View of them in their Originals, or elſe in Copies atteſted by that Court, we cannot make a good Judgment upon the Merits of this Sentence, the Nullities charged upon it being to be deduced out of the Acts and Proceedings of Court, and the Injuſtice out of the Proofs as they lay before that Judge. Neither of which we have, nor indeed can call before us, for want of Juriſdiction, which is the Baſis of all Judicial Proceedings.

Secondly, From the Practice of Civil Law Courts, which ordinarily intermeddle not with, nor inſpect the Merits of thoſe Sentences that are given without the Limits of their Juriſdictions. 'Tis a ruled Caſe, that one Judge muſt not refuſe, upon Letters of Requeſt, to execute the Sentence of another Foreign Judge, when the Perſons or Goods ſentenced againſt are within his Juriſdiction; and if he do, his Superior muſt compel him to it; elſe it is a ſufficient Ground for Repriſals againſt the Territory: But it being debated in the *Imperial* Chamber of *Spire*, whether a Judge in this Caſe might not judge of Nullities, or other Objections, againſt a Sentence ſo recommended to his Execution, it was reſolved he might, and ſuſpend Execution if he ſaw Cauſe; but he might not pronounce on theſe Nullities, or any Thing elſe that impugned the Sentence upon the Merits of the principal Cauſe.

3 *dly*, From the Uſage of the *Weſtern* World; each Soveraignty avoiding, as much as may be, to break in upon, or interrupt one the other in their Judicial Proceedings; as appears firſt by the modern Treaties, which do moſt of them provide, that Perſons wronged ſhall ſeek and purſue their Remedies in Law, (not at their own Homes, but) in thoſe Countries where the Wrongs have been done them. *Secondly*, By the avowed Cauſes of granting Repriſals, which are then only well granted, when all the Inſtances, firſt in the Courts of Judicature from the loweſt to the higheſt, afterwards with the Prince himſelf, have been attempted and purſued without Succeſs or Effect.

4 *thly*, From the peculiar Uſage touching the Property of Ships; the Parliament of *Paris* hath determined, that Ships are not recoverable *Jure poſtliminij*, when they happen to return from an Enemy's Poſſeſſion to their true Owner's Country; and the Laws of *Spain* and *Venice* do allow their Property to be alter'd, (which agrees not with the ancient Law of Nations) even in the Hands of Pirates, ſo as to veſt legally in others, that derive *bonâ fide* from them. Now if the Property of Ships in Favour of Publick Commerce, can paſs without a Sentence, his Title who purchaſes under a Sentence, ſeems not regularly to be void, till the Sentence it ſelf be reverſed by a competent Authority.

The Arguments for the Negative, and for adjudging the Sentence from *Scotland* into this Admiralty are,

Firſt, That the Sentence given in *Scotland* is null *ipſo jure*, as being a flat Contradiction to the Acts and Proceſs it refers to; their Sentence, on the one Side, purporting, that all Men intereſſed were called; the Proceſs, on the other Side, being ſo quick and tumultuary, that if any were called, there was no Poſſibility that the Notice ſhould reach them. Though I do not conceive it was *de Jure Gentium* neceſſary to call the *Danes*, who, as the Cauſe ſtood, had no Defence to make; yet if the Judge were acquainted (as it is ſworn he was) with the *Engliſh* Intereſt, and with your Majeſty's Licenſe, and his Royal Highneſs's Paſs, it was neceſſary *de Jure Gentium*, to call the *Engliſh*; there being no Law, Statute, or Uſage, that can diſpenſe with or ſupply this Defect. So here can be no Sentence, becauſe there was no Citation. And if ſo, the Property is entire where it was before the Capture. That Proofs of this kind of Nullity are admiſſible before a Judicature otherwiſe incompetent, a Caſe not unlike this before the Parliament of *Paris* ſeems to warrant. For when a Sentence given at *Venice* againſt a *French* Subject, was, upon Letters of Requeſt from *Venice*, to be executed in *France*; the Parliament declared they would not examine the Merits of the principal Cauſe, becauſe the *Venetians* (ſaid they) would be ſure to have their

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Revenge on them in the like Occaſions; but they would and did examine whether the *Frenchman* had been proceeded againſt upon due Summons, and according to the Stile of *Venice*, (which when they found,) they executed the Sentence.

Another Argument is, that *Thompſon*'s Title being in Diſpute, he may, by Way of Denunciation, as the Civil Law directs, call *Murray* to aſſiſt him in defending it; if *Murray* do appear (the Way of calling him effectually is by Letters of Requeſt to the Lords of Seſſions) he muſt make it out, that his Sentence was ſuch, as could and did *tranſire in rem judicatam*, which a Sentence that is null *ipſo Jure* can never do; if he does not appear, the Admiralty here ought to adjudge the Ship to the firſt Proprietor; and *Thompſon* muſt be left to his Action, for evicting the Value paid from *Murray* in the Courts of *Scotland*.

The Arguments for diſmiſſing the Cauſe hence are, as I humbly conceive, calculated for the Rigours of the Civil Law, and the Pretenſions of diſtinct Soveraignties; but they do imply a particular Miſchief to *Lee* and *Smith*, in putting them to a long Run into *Scotland*, which is againſt the Nature of ſummary Proceedings, in the managing of which there is no more *de Jure Gentium* eſſential to the Juſtice of them, than to hear all Parties, and to give every Man his own, tho' he happen to be in the wrong, as to the Manner and Form of his Demand.

The Arguments on the other Side, for judging the Ship where 'tis found, have more of natural Equity in them; yet they infer an unavoidable Miſchief to *Thompſon*. For if this Sentence in *Scotland* were declared null, *Thompſon* would be undoubtedly well founded to recover his Money by Way of Eviction againſt *Murray* in thoſe Courts; but if it be reverſed here, *Murray*'s Plea is obvious, that our Sentence here was null and a meer Colluſion between *Thompſon* and the Claimers. Beſides, theſe Arguments ſeem to favour a general Inconvenience, which is, the interfering of one Juriſdiction with another, as the Thing in Controverſie happens to come within their reach, which muſt be the riſe of perpetual Broils and Repriſals: And it would be of ill Conſequence to our Commerce here; if it were not ſufficient for the Buyer of a *Holland* Prize (for Inſtance) in *London*, to produce the *res judicata* of this Admiralty, when he were arreſted in *Flanders*, upon a Property pretended before the Capture, without being forced to prove in that Country, that Sentence paſſed here upon good Evidence and in due Form. If we were at the ſame Dilemma with the *Spaniard* (for Inſtance) we pronouncing the Sentence of his Admiralty null, and adjudging a Ship from a Poſſeſſor under his Sentence to a Claimer in our Juriſdiction, he would, I ſuppoſe, appeal from that Sentence; and if we juſtified it, yet he would come at laſt to Reprizals; for he would have this to ſay, that the Sentence we reſcinded here, ſhould have been appealed from and examined in *Spain*, where it was given. We cannot in this Caſe ſay, he has denied us Juſtice, becauſe we did not purſue the utmoſt Appeal; but he will ſay, we have done him wrong, in reviewing a Sentence that lay not before us by Way of Appeal. If he on the other Side will refuſe to review or reverſe this Sentence, that aggrieves our Claimer, we have (after the uſual Inſtance made) an unqueſtionable Occaſion given us for Reprizals.

Reprizals are the *ratio ultima Regum*, but there can be none in the Caſe now before us; your Majeſty being the common Father of both Countries. 'Tis therefore poſſible, your Majeſty may pleaſe to deſcend ſo far, as to avocate this Cauſe to your own Royal Cogniſance, and to pronounce upon the Merits of it; whereby both Parties will have all the Reaſon imaginable to acquieſce in the Judgment, which will be not only juſt, but ſpeedy, and yet no Pretence at all to diſpute the Tribunal, ſince 'tis the Fountain and the Life of both thoſe Judicatures they contend for. All which I do humbly ſubmit to your Majeſty's Royal Wiſdom.

L. Jenkins.

To the KING.

May it pleaſe your Majeſty,

I Have, in Obedience to your Majeſty's moſt gracious Order in Council, conſulted with Mr. Attorney and Mr. Sollicitor General, touching a Remedy againſt the barbarous Spoils and Rapines uſed upon the Sea Coaſts, when Ships happen to be caſt away, ſo as the Goods are ſaved and brought aſhore; as alſo touching the fitteſt Courſe to be taken for the preventing or Satisfying of the Imbezzlement and Spoil complained of by the *French* Ambaſſador.

For a general Remedy in theſe Caſes, Mr. Attorney and Mr. Sollicitor are both of Opinion, that theſe barbarous Uſages muſt be puniſhed and reſtrained either by a new Act of Parliament, or elſe by an Information in his Majeſty's Court of King's Bench, againſt the Offenders; I will only crave Liberty to add, that ſuch Riots and Miſde-

meanours being begun within the High-water Mark, (tho' afterwards continued upon the Land) have been heretofore puniſh'd in the Admiralty, as the proper Court for it, or elſe by the ordinary Commiſſions of Oyer and Terminer, upon the Statute 28*th* of King *Hen.* VIII.

But in Caſe a new Act to that Purpoſe ſhould not go on, and ſince an Information will reach Offenders in one County and for one Fact only; I moſt humbly offer to your Majeſty that which I conceive, with Submiſſion, to be the ancient marine Law of *England*, to be conſidered how far it may be review'd, and put into vigorous Execution, in Order to prevent the Miſchief now growing every Day more and more, to the Reproach of the *Engliſh* Juſtice and Humanity.

1*ſt*, I do, under your Majeſty's Correction, conceive, that in Ships wreckt, ſuch as this of the *Salvador* was (which is a diſtinct Thing from *Wreccum Maris*; where neither Man nor other Creature eſcapes alive, the Judgment whereof the Admiral claims not) the ſalving, gathering up, and ſafe keeping of all Goods caſt aſhore where any eſcape alive, belongs to your Majeſty's High-Admiral and his Deputies, excluſively of all Lords of Mannour, and all others whatſoever, the Maſter and the Owner of the Ship and the Goods ſo caſt away, as alſo the Ship's Crew, only excepted) and that no Perſon whatſoever, not authorized by the Admiral or his Deputy, or elſe eſpecially requeſted by ſuch Maſter, or Owners in Diſtreſs, ought to intermmeddle with ſalving or taking into their Cuſtody ſuch Goods. The Admiral being not only *de Jure communi*, reſponſible to the Proprietors for all the Embezzlements, but alſo to your Majeſty and the Crown, for all Breaches of Treaty or Reprizals, that may be the Effect and Conſequence of ſuch Spoil and Rapines.

2*dly*, That all Sales made by Maſters or Mariners in ſuch Diſtreſſes, (excepting of ſuch Things as are their own in Property) are abſolutely null and void in Law. And that all ſhatter'd Ships and Shipwreck'd Goods ſo bought, where there does not, either a ſpecial Procuration, or elſe a Decree from the Admiralty intervene, are to be ſeized upon, as *bona piraticè capta*, and taken into the Cuſtody of the Admiral from the Buyer, to the Uſe of the true Proprietor.

3*dly*, That by the Law of all Nations, the Sea-ſhore is and ought to be common, and that there is no Foundation in Law or Juſtice to pretend to a right of hindring the Officers of the Admiral or the Owners from coming on the bordering Grounds, in Order to ſave Mens Lives or Goods, in ſuch Extremities, as I hope it will upon Enquiry appear to be.

If this be Law, if that the Rabble be hindred from meddling, the Neighbours from buying, and the Landlords from claiming *Droits* and Uſages warrantable by no Law, the Inſolencies of the People upon the Coaſts would be quickly reduced to Reaſon; and 'tis to be hoped, that the old Law of *England*, fully declared, and vigorouſly vindicated in theſe three Points, would effect all that can be expected in theſe Caſes.

As for the Spoil and Damages in this Caſe of the *Salvador*, Mr. Attorney and Mr. Sollicitor are of Opinion, that they may be ſued for, either in your Majeſty's Courts at common Law, or elſe in the Admiralty; only if the Suit be in the Admiralty, 'tis probable, that there will be need of your Majeſty's Interpoſal againſt Prohibitions in this Caſe, and ſo much the more, that it would be very hard for a Stranger to diſpute over and try our Juriſdiction before he does his own Cauſe, and that the firſt Tryal may, as it often happens, prove more chargeable than the laſt.

For it will be obvious for the Defendants in this Cauſe to ſuggeſt, that the Damage, if any, was done upon the Land, out of the Admiral's Juriſdiction; but the Truth in all Probability will prove to be, that the Spoils of this Kind were but a Continuance of the Riot, Force, and Pillage, begun below the high-Water Mark, within the undoubted Juriſdiction of the Admiral. However, having the Authority of two ſuch eminent Perſons in the Law, that this Cauſe of Spoil is cogniſable in the Admiralty; I will only add beſides, that it has been always ſo, till ſome late Interruption; it is not without a ſpecial Eaſe and Satisfaction to a foreign Plantiff, that he ſhall have the Benefit of the ſame marine Laws here, that we are judged by in his Country; and inſtead of entring as many Actions of Trover and Converſion, as there are Parties to the Spoil, and Proprietors of the Ship and Goods (it may be an hundred or more Actions at Common Law) the Maſter, in the Name of himſelf, his Setters out, and Freighters, need not enter any more than one ſingle Action in the Admiralty, where one Hearing, Plea, or Tryal, and one Sentence, (as well in Vacation as in Term Time) will determine the whole Affair.

But this being an extraordinary Caſe, and the Moſt Chriſtian King being wholly and ſolely concerned in this Rapine, 'tis poſſible your Majeſty may not think proper to put his Excellency the *French* Ambaſſador to any further Trouble; but having heard

and

and examined in your Royal Preſence the whole Matter of Fact, which has no Colour of Excuſe for it, you will pleaſe to judge in it according to your Prerogative, and your own moſt Royal Judgment. For if the meaneſt of the *French* may expect not only Safety and Protection, but all the Advantages that may be expected from a faithful Neighbour by a ſolemn and ſecure Peace; the Prince himſelf, having more Intereſt than any of his Subjects in thoſe Treaties, ought to have all the Reparation, and in the moſt ſpeedy Way, that ſuch a hoſtile barbarous Outrage is capable of. All which, *&c.*

L. Jenkins.

To the KING *in Council.*

May it pleaſe your Majeſty,

HAVING, in Obedience to your Majeſty's moſt gracious Order of the 15*th* of *June* laſt, had the ſeveral Demands hereunto annexed, (which his Royal Highneſs's Commiſſioners have repreſented unto your Majeſty, as Dues and Perquiſites belonging unto the Lord High Admiral) under Conſideration and Debate, I do now, with the deepeſt Humility and Submiſſion poſſible, lay at your Majeſty's Feet my Recollections upon the whole Matter.

In the *Firſt* Demand: Such Ships as are actually in the King's Service, and under his Pay, are to be excepted, as I humbly conceive; otherwiſe they will be in a Condition more bounded and reſtrained than the private Men of War, who are expreſly commiſſioned to ſeize in Port as well as upon the open Sea; and the Lord Admiral giving this Power to private Men of War, not *virtute officii*, but by a ſpecial Commiſſion, the King who grants it, cannot be thought to intend the Excluſion of his own Ships from that Liberty, which others do enjoy by vertue of his Commiſſion to the Admiral, ſince the King's Prerogative of ſeizing Enemies Goods *Jure belli*, or *repriſaliarum*, is ſtill concurrent with that of the Lord Admiral within his Juriſdiction.

If it be ſaid, that the Lord Admiral, in Conſideration of his Tenths from private Men of War, imparts unto them this Right peculiar to himſelf in Port, it may be replied, that this Right in Port doth not appear to be in the Lord Admiral, to the Prejudice of the King's own Ships, either by Patent or by Preſcription. Not by Patent, for the Words *Bona inimicorum caſu fortuito reperta*, do refer as well to the open Seas, (and there the Lord Admiral claims not againſt the King's Ships) as to the Ports: Not by Preſcription, for in the two Preſidents, which is all that I yet find of Enemies Goods ſeized in Port, and adjudged to the Lord Admiral, it does not appear by whom the Seizure was made, in the one at *Swanzey*; and it is expreſs the Vice Admiral made the other in the Iſle of *Wight*.

To the *Second* Demand: What is here demanded, I take to be the Lord Admiral's juſt Right; for tho' Enemies Goods are by the Law of Nations his forthwith that takes them; yet the preſent Practice of the moſt civil and puiſſant Soveraignties of the World hath ſuperſeded this Law; and the Title to Enemies Goods is veſted in the Prince, and from him derived, as other *Regalia* are, and ſometimes, as in this Caſe, annexed to inferior Juriſdictions. Beſides, ſuch Goods muſt be reputed to be *Caſu fortuito reperta*, and in that Notion they are the Lord Admiral's: Otherwiſe the Taker will not be able to juſtifie his Capture; nor can they be adjudged Prize but upon Suit in the Lord Admiral's Name, who in this Caſe uſually gratifies the Taker with a Share, in Proportion to his Hazard and Pains.

To the *Third* Demand: If by prohibited Goods, are meant Goods forbidden to be imported and exported, it does not appear, that the Statutes concerning Trade, Navigation, and the Cuſtoms, have left any Thing undiſpoſed of in the Caſe. If by forfeited Goods are meant the Goods of Felons, and Traitors to the Crown, they are within the Lord Admiral's Patent, by whomſoever they are ſeized within his Juriſdiction.

To the *Fourth* Demand: The Ships and Goods of Pirates, I do humbly conceive to be the Lord Admiral's, as alſo all Goods piratically taken from the King's Subjects or Friends, (the Cuſtody of them belonging to the Lord Admiral) in caſe they be not legally claimed within the Year: And this, tho' the Pirate ſhould be ſubdued and brought in by the King's own Ships; for there are Preſidents (beſides that theſe Goods are in the Lord Admiral's Patent, are) very full and appoſite to this Effect. As to the nice Queſtion here raiſed, *viz.* whether a King's Man of War maſtering a Pirate, who hath an Enemy's Ship in his Poſſeſſion, is to carry away the Enemy for the King, quitting the Pirate to the Lord Admiral? I do, with Submiſſion to better Judgments, anſwer, that the Pirate's Occupancy, though it be for never ſo long a Time,

Time, doth not alter or extinguiſh the Property in his Prize; which if it did, then might the Pirate make a legal Transference of his Poſſeſſion to another: This a juſt Enemy can, a Pirate cannot do. The King therefore being gotten by this caſual Seizure into the Poſſeſſion of his Enemy's Goods, that common Maxim ſeems to take Place, *viz.* *Melior eſt Conditio poſſidentis.*

To the 5*th* Demand: There is no mention in the Lord Admiral's Patent of theſe Tenths, nor is there any conſtant uninterrupted Cuſtom alledged for them, excepting in the Caſe of private Men of War, from whom the Lord Admiral doth receive his Tenths. That the Earl of *Warwick* had them given him by the late Uſurpers, from the Publick Ships likewiſe, is yet freſh in Memory; and that after they had extinguiſhed the Name and Office of Admiral, (as much as in them lay) they ſequeſtred the Tenths, as a diſtinct Thing in the Provenue of their Prizes, and applied them to different Uſes from the reſt.

As for the ancienter Preſidents, the Exchequer is more likely to afford them, if there be any, than the Court of Admiralty; only it appears by the Black Book in the Admiralty, (which certainly is ancienter than K. *Edward* III. Time) that the Admirals (for then there were 3 or 4 together) had their Dues and Perquiſites eſtabliſhed unto them in Time of War. An Admiral had, while upon the King's Service by Sea or Land, 4 *s.* a Day; if a Knight, vi *s.* viii *d*; if a Baronet, xiii *s.* iv *d.* if an Earl, more, an hundred Marks a quarter; *pour regard de trente hommes d'armes*, thoſe are the Words, 2 *s.* a Day for every Chevalier; 1 *s.* to every *Ecuyer*; 6 *d.* to every Archer on Board him. Beſides, he had Shares (and the Word Shares is ſtill in his Patent) in all Prizes, whether taken by Ships in the King's Pay, or by private Adventurers; other Perquiſites he had not worth the mentioning, becauſe proportioned to the Rate of Money, and to the Tenuity of thoſe Times. The Lord Admiral hath, it ſeems, none of thoſe petty Perquiſites at this Day; yet it cannot, I think, be denied, but that he has a Right unto them, or to ſomething elſe in lieu of them, both *virtute officii*, and by the Words of his Patent, which gives him all the Rights and Emoluments of his Place, in as full and ample Manner as any of his Predeceſſors enjoyed them. But how the Appointment in the Black Book came to be diſuſed, does not appear by any Memorial that I can find in the Admiralty; if it were changed into Tenths, it was poſſibly in conformity to the *French* Model, where the Admiral for his Support, and in Conſideration of the Dignity of his Place, and the Importance of his Service, had in the Year 1584. *ſon droit de dizième*; it was then a Right eſtabliſhed, not a new Acquiſition, and by Edict confirmed unto him, not only of all Prizes whatſoever, but of all Priſoners too, and that *ſuivant les anciennes ordonances*, as by the Edict at large doth appear; and the Benefit of this Precedent, as I conceive, was enjoyed by the Prince of *Orange* in the ſame kind. *Edict. Hen.* III. 17 *April* 1584.

To the *Sixth* Demand: Here again, under Correction, the King's Men of War are to be excepted; for the modern Practice hath in moſt Places determined the Point of Reſcue, otherwiſe than it was in ancient Times. For if an Enemy carries away (for inſtance) an *Engliſhman*'s Ship *intra præſidia*, or elſe ſo poſſeſſes it for 24 Hours together, that the Enemy is not purſued after, nor the Loſer in any probable Hopes of recovering his own, this Ship ſhall be adjudged a good Prize to him that ſhall retake it from the Enemy, and ſhall not be reſtored upon Claim. As for Salvage, when a Ship happens to be reſcued within 24 Hours, I have met with one Precedent, where 'tis paid to the Admiral upon a Reſcue from a Pirate; nor can I ſay but it is ſo too (tho' the Reſcuer has it in *France*) when the Reſcue is from a juſt Enemy.

To the *Seventh* Demand: Goods caſt out by way of *Jactus* are not Derelicts. However, the Lord Admiral having the Cuſtody of all Jetſons and Flotſons, as theſe are, they are his by Preſcription, if not claimed within the Year, tho' they ſhould belong to Friends. But if they belong to Enemies, they become his immediately. For being preſented in his Court as *Bona inimicorum*, inſtead of the Cuſtody of them, the Dominion and Property of them veſts in him, as being granted him by Patent. Yet if this *Jactus* be made in flying from an Enemy, and the Purſuer do take up the Goods thrown out, they are his, I conceive, and not the Lord Admiral's: They are Part of the lawful Prey he purſued, and as juſtly his as if he had overtaken the whole; the Purſuer's Right commencing (as in the known Inſtance of *fera vulnerata*) from that very Moment wherein the Enemy is, by the Impreſſions of the Purſuit, diſabled to carry away his Goods any further.

To the *Eighth* Demand: The Anſwer is much the ſame. That Thing cannot be a Derelict in the Notion of the Civil Law, which the Owner quits through great Fear, altogether againſt his Will and Intention. 'Tis not enough that he leave it *ſine ſpe revertendi*, but he muſt leave it *ſine animo revertendi*; at leaſtwiſe the Thing muſt be ſo

ſo long a Time without a Poſſeſſor, that the true Owner ſhall be preſumed to have given over all Thought of it: Which makes ſome learned Men of Opinion, that the Laws in the Digeſts upon the Title of Derelicts, are now become obſolete and diſuſed. So far are People (ſay they) now a-days from leaving voluntarily behind them Things that are their own.

However, Ships and Goods, in the Caſe at preſent depending, would and ought to be pronounced the Lord Admiral's, againſt all Perſons whatſoever, excepting the Purſuers; whoſe very Purſuit doth *Jure Belli* begin their Poſſeſſion. The Gallies of *Malta* worſting thoſe of the *Turks*, purſued them ſo cloſe, that at laſt, in order to eſcape the *Malteſes* Hands, the *Turks* threw themſelves upon the Iſland *Corſica*, where the Iſlanders (being likewiſe in Hoſtility with the *Turks*) ſeized them and their Ships, as a lawful Prey fallen into their Hands. The learned Lawyers of that Time being conſulted on this Caſe, gave their Judgments againſt the Iſlanders of *Corſica*, as having wrongfully taken from the *Malteſes* what they had already in a manner ſeized and were in Poſſeſſion of; adding, that an Enemy may be truly ſaid to be poſſeſſed of his Prey or his Priſoner (ſometimes before he lays hold of them) even then when he hath ſo diſabled the one, or compaſſed the other, that there are no Means left to avoid coming into his Hands.

Besides, this very Caſe is determined in the *French* Ordinances of the Admiralty: The Admiral being directed, in caſe the Company do, for fear of a Man of War, all abandon their Ship, and ſave themſelves in their Boat, to ſequeſter their Prize: If upon Information it appear to belong unto Friends, who are here ſuppoſed to be put ſometimes into ſuch Streights; but if the Likelihood be, that it belong unto Enemies, the Takers are to have it upon Bail, and to reſtore it, or the Value, in caſe a Property be made out to be in Friends; and in this caſe Tenths only are reſerved to the Admiral. Whereas if it were a Derelict in the Modern Notion, he ſhould have his Thirds, which is the *French* Admiral's Share, in all Ships and Merchandizes taken up floating upon the Seas. All which, *&c.*

L. Jenkins.

To the Earl of Arlington, *upon Sir* P. Pet's *Queries about the Lord Admiral's Rights.*

My Lord, *Admiralty, March* 3. 1665.

I Have, in Obedience to your Lordſhip's Commands, communicated Sir *Peter Pet*'s Queries here incloſed to Sir *R. Wiſeman*, his Majeſty's, and Sir *W. Turner*, his Royal Highneſs's Advocate; the Reſult and Debate we had upon them was this:

Firſt, We do all agree, that his Majeſty has not any Intereſt in ſuch Ships and Goods belonging to Enemies, as are taken and brought in by any of his Majeſty's Subjects, who are not imployed either in the King's Ships, or in private Men of War; we differ only in this Circumſtance, Sir *R. Wiſeman* is of Opinion, ſuch Ships and Goods ought to be adjudged to the Taker; Sir *W. Turner* and my ſelf, to the Lord Admiral, among other *Caſualia Maris* given him by Patent; it being left to the Lord High Admiral to reward the Taker in Proportion to his Hazard and Pains.

2 *dly*, We agree, that Enemies Ships that come in voluntarily to his Majeſty's Ports, or are driven in thither by Streſs of Weather, or other Accidents, do belong to the Lord High Admiral, if his Officers, or thoſe of the Cuſtom-Houſe, (or indeed any other) do ſeize them. This Sir *R. Wiſeman* would have underſtood to be without Prejudice to the King's Men of War, if they ſhould happen to be the firſt Seizers; and Sir *W. Turner* is contented it ſhould be ſo, provided the Men of War do make this Seizure in the Purſuit of an Enemy putting himſelf into Port, or elſe when they happen to meet an Enemy as they are going out of the Port. And this Reſtriction I do alſo ſubmit to, as very reaſonable in the Caſe.

Laſtly, As to Ships and Goods quitted and forſaken by the Enemy, in order to avoid the Hands of a Purſuer, Sir *W. Turner* is of Opinion, the Lord High Admiral ought to have them as Derelicts, tho' they come into the Purſuer's Hands before any other. Sir *R. Wiſeman* and my ſelf, under Correction, do differ from this Opinion; conceiving that in this Caſe they are the Takers, (whether the King's Men of War or Privateers) and ought to be reputed his lawful Prey, no leſs than if he had even taken the Enemy on Board. The Impreſſion of his Purſuit having been the ſole Reaſon that the Ship (however the Enemy himſelf eſcaped) fell into his Hands.

To this Effect, My Lord, we have each of us already delivered our Opinions in Writing upon theſe Points, which his Majeſty was graciouſly pleaſed to give a Hearing to at *Oxford*, in order (as we then conceived) to interpoſe his own Royal Determination in theſe and ſome other Points. I have

I have not varied a Tittle, My Lords, in this Report I make of the Senſe of both the Advocates, from what I apprehend to be their true meaning at our Debate, tho' I may poſſibly have miſtaken, to whoſe Opinion I do not either joyn nor oppoſe mine own, but with all Submiſſion poſſible to better Judgments, as becomes, My Lords, *&c.*

L. Jenkins.

To the Right Honourable the Lords of His Majeſty's moſt Honourable Privy Council, appointed as a Committee for Trade and Plantations.

My Lords,

I Have, in Obedience to your Lordſhips Command, peruſed the Proofs and Papers that are put into my Hands, touching the two Ships (the *Andrew* and the *Portland)* arreſted and detained, together with their reſpective Ladings, in the Port of St. *Malo*'s, in the Year 1644.

1. It is depoſed by ſeveral Witneſſes, examined *ad perpetuam Rei memoriam* in the Court of *Admiralty*, in the Year 1649, That *George Serle*, and *Francis Toppe*, *Engliſh* Merchants, reſiding at St. *Malo*'s, had, about the Month of *May* 1644, laden certain Quantities of Linen Cloth, and other Merchandize of great Value, in the two Ships abovenamed, in the Port of St. *Malo*'s, to be thence tranſported to the reſpective Ports of *London* and *Southampton*. Touching the Owners and the Conſignataries of the Goods ſo laden, one of the Witneſſes, *viz. Peter Serle*, ſaith, that *Geo. Serle*, *Fran. Toppe*, and Company, were Owners and Poſſeſſors of the ſaid Goods, and ſuch commonly reputed; and that the ſaid Goods were to be deliver'd at *London* and *Southampton*, to their Uſe. Another Witneſs, *Dan. Serle*, ſays no more, but that *Geo. Serle*, and *Fran. Toppe*, having the ſaid Goods in their Poſſeſſion, laded them to be tranſported to *London* and *Southampton*, for the Account of the *Engliſh* Merchants. This Variation I do humbly offer to your Lordſhips Obſervation, becauſe I find the 3*d* Witneſs (there being no more than three examined) ſilent, as to the Propriety and Conſignation; and becauſe the Hoſtility, then flagrant in thoſe Ports againſt his late Majeſty, may ſomewhat alter the Caſe; if the Propriety of the Goods were not veſted in Sir *Fran. Toppe*, and ſuch others as were not obnoxious, by their adhering to the two Houſes at *Weſtminſter*.

2. It is depoſed, that the ſaid Ship being laden, and ready to ſail for the ſaid Ports, were arreſted in the Road near St. *Malo*'s, at the Inſtance of *Peter Filiaſter* and *Kirrowin*, *Iriſhmen* born, but then Inhabitants of St. *Malo*'s; and that the Goods laden in them, as aforeſaid, were unladen the very ſame or next Day that the Ships were arreſted, and ſome of them were ſeen in *Kirrowin*'s Cellar.

3. The only Pretence and Suggeſtion then alledged for this Arreſt was, that the ſaid *Filiaſter* and *Kirrowin* had ſuſtained Loſſes and Damages in their Trading to and from *Ireland* by the Parliament Ships, (then ſo called) and that *Kirrowin* had ſuſtained Loſſes in *Ireland* by the Parliament.

4. That the Warrant and Authority by which the ſaid Arreſt was made, iſſued out from the Parliament of *Rennes* in *Bretaign*; and that the intereſſed in the ſaid Ship and Ladings, had made Applications and Inſtances to the ſaid Parliament at *Rennes*, and to the publick Miniſters at *Paris*, in Order to be free from the ſaid Arreſt, but without any Relief or Redreſs; the intereſſed having long and in vain (yet not without great Expence) ſollicited the taking off the ſaid Arreſt, were forced and conſtrained to pay, and did pay down 33,000 Livres *Tournois*, to the Uſe, and towards the ſatisfying of the ſaid *Filiaſter* and *Kirrowin*, in their Pretenſions, before they could obtain a Relaxation of the ſaid Ship and Goods.

5. That the Judges and Officers, who did put in Execution the Arreſt of the Parliament of *Rennes*, did refuſe to give Copies to the intereſſed, of ſuch Orders and Writings as concerned the ſaid Arreſt; tho' there was a legal Demand, and a tender made of ſuch Fees, as could be reaſonably asked for the Copies. Nor was there any Note or Receipt given for the 33,000 Livres *Tournois* paid down, tho' it was earneſtly preſſed.

6. That the Loſſes and Damages ſuſtained by Reaſon of the ſaid Arreſt and Detention, as alſo of the Expences conſequent thereto, are depoſed by one of the Witneſſes, to amount to 1000*l.* Sterling; by the other, to almoſt double. It appears further, by the Regiſtry of the Court of Admiralty, that in Conſideration of the Damages and Injuries abovementioned, Letters of Marque and Reprizal againſt the *French* were, by a Warrant bearing date 10 *Jan.* 1649. from thoſe who called themſelves the Council of State, directed to iſſue out of the Admiralty to *Geo. Serle* and *Fran.*

Fran. Toppe; and the ſaid Letters were iſſued out accordingly under the great Seal of that Court, and that the Damages of the intereſſed are ſaid in that Warrant to amount to 1000*l.* Sterling.

As to Sir *Fran. Toppe*'s Petition to his Majeſty, that which is ſuggeſted in it is, as I humbly conceive, an undeniable Truth, *viz.* That it is againſt common Right, to ſeize the Goods of one Man (in a Caſe as this is) for the Debt or Treſpaſs of another, unleſs it be by Vertue of Reprizals duly obtained, according to the Law and Courſe of Nations; that is, after due Inſtance firſt made before the Tribunals, and to the Soveraign, of the wrong Doer, and after Denial of Juſtice, all Solemnities in demanding it being firſt obſerved. But ſuppoſing there had been Letters of Marque and Reprizals actually iſſued out againſt the *Engliſh*, for the Wrongs done to *Filiaſter* and *Kirrowin*, yet this Arreſt and Seizure being made in Port, is expreſly againſt ſeveral Treaties between this Crown and that of *France*, *viz.* that of *Auguſt* 29. 1610, and that of *March* 29. 1632. whereby it is provided, that no Letters of Marque, tho' iſſued out upon the juſteſt Grounds imaginable, ſhall be executed upon the Goods or Perſons of the Subjects of either Prince, while they are within the Ports, Roads, or Harbours of the other, unleſs they happen to light on the wrong Doers themſelves, or their proper Goods, which, it ſeems, was never pretended againſt Sir *Fran. Toppe* in this Caſe. All which is humbly ſubmitted, *&c.*

L. Jenkins.

To His Royal Highneſs.

May it pleaſe your Royal Highneſs, *Decem.* 7. 1667.

THE 25*th* Article of his Majeſty's Orders (now made an Act of Parliament) for the Government of his Navies runs thus: That Care be taken in the conducting and ſteering the Ships, that through Wilfulneſs, Negligence, or other Defaults, none of his Majeſty's Ships be ſtranded or run upon any Rocks or Sands, ſplit or hazarded, upon Pain that ſuch as ſhall be found guilty therein, be puniſhed by Fine, Impriſonment, or otherwiſe, as the Offence, by a Court Martial, ſhall be adjudged to deſerve.

But the laſt Clauſe in this Act provides, that the Court Martial ſhall puniſh none for Crimes and Offences provided againſt in his Majeſty's Orders, but ſuch only as have been committed by ſuch Perſons as ſhall be in actual Service and Pay in his Majeſty's Fleets or Ships of War. Whether the Pilot that loſt the King's Ship, be exempted from a Court Martial by this Clauſe, I am not to determine; the Judges of the Common Law claiming the Right of interpreting of Acts of Parliament; yet with all Submiſſion, I do conceive, this Load-Manager had the Charge and Government of this Ship, as entirely committed to him here, as any Pilot could have it on the main Sea; and conſequently, that he is within the Letter and Meaning of this Article. For it is not to be doubted, but that a Man may be as actually (to all Intents of Faithfulneſs, Care, and Obedience) in the King's Service and Pay for half a Day, as for half a Year, from *Dover* to the *Downs* in a *Hoye*, as from the *Downs* to the *Eaſt-Indies* in a Frigat.

But if the Court Martial ſhould not think fit to intermeddle in this Buſineſs; there is a Commiſſion of Oyer and Terminer now on Foot in the Admiralty, by which your Royal Highneſs and the Commiſſioners are impowered to enquire of, try, and puniſh all Manner of Crimes and Offences committed within your Juriſdiction, not only thoſe againſt the Laws and Statutes of this Land, but thoſe alſo committed againſt the Laws and Statutes and Ordinances (thoſe are the Words) of his Majeſty's High Court of Admiralty.

To that Effect, one of the Articles given in Charge to the Jury, (as it was agreed on in that famous Inquiſition in *Edw.* III. Time, 1375. at *Queenborough*) runs thus, in the Original in the Black Book of the Admiralty.

" Item, eſt établie pour couſtume de Mer, que ſi une nef eſt perdu par la defaulte " d'un Lodeman; Les Mariners peuvent, s'il leur plaiſt, amener le Lodeman à la *Guil-* " *dall* ou une autre lieu & coupper ſa tète; ſans qu'en apres le Maître ou nul de ſes " Mariners ſoit tenu de reſpondre devant aſcun autre Juge; parceque le Lodeman " fiſt grand trahiſon à ſon entreprize de Lodmanager. Et ceſt le Jugement en ce caſe.

" Item, ſoit enquis de Lodeſmen qui prennent ſur eux Lodemanage; laquelle ils " ne ſçauroient perfournier; parquoy nef à eſte pert ou homme mort."

With this Judgment, agrees exactly the ancient Cuſtom of the *Levant* Seas in this Caſe; but the modern Writers have cried down this brisk Kind of Proceeding, as not reconcileable with the grave and ſolemn Forms of Juſtice. And an *Engliſh* Jury will never underſtand any Thing to be Felony (I mean to deſerve Death for its Puniſhment) but what is known and determined to be ſo, either by the Common

Law of *England*, or elſe by ſome Statute of the Realm. So that it is not likely this Offender will be puniſh'd in a Court of Oyer and Terminer in Proportion to his Demerit. That which I humbly conceive would approach neareſt to it, would be a Confinement or a Drudgery (if any ſuch were in Law) like that in the Gallies abroad, which would ſtrike a Terror to ſuch bold Undertakers, and in a good Degree mortifie theſe two Offenders. All which, *&c.*

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of Prizes.

My Lords, *Auguſt* 1672.

IT appears by Affidavit, that there is a Bark in the Port of *Rye*, which belongs to *Barnſtaple* in *Devonſhire*, and is called *The Laurel Tree*. It was freighted out for a Voyage to *Newfoundland*, and thence to the Coaſt of *Spain*, by a Charter Party which hath been ſhewed me, bearing Date the 13*th* of *June* laſt. The Agent for Prizes in the Port of *Rye*, adviſes the Owners in the *Weſt* of its being taken by a *Dutch* Caper, and retaken again, (but he doth not ſay by whom) and brought into *Rye* upon the 16*th* of the laſt Month: My humble Opinion is ſtill the ſame that I have had the Honour to deliver, with all Submiſſion, formerly to your Lordſhips upon the like Occaſion; that this Ship ought to be reſtored by the Reſcuer to the Proprietors, Salvage being firſt paid to the Lord High Admiral, and a *Quantum Meruit* of the Salvage ſo paid, ought to be apportioned to the Reſcuer, by the Court of Admiralty, in Caſe it be not ſettled by mutual Agreement. And tho' this Reſcuer ſhould happen to be a Privateer, and not a King's Man of War, yet the Law ſuppoſes him to be arm'd for the Protection of the King's Subjects, and their Goods; nor can it be objected, that it is at his own Charges, ſince he is ſure of a *Quantum Meruit*. There is no ſuch Thing (as I humbly conceive) as *Droit de Guerre*, or Law of Arms, that ought to obtain or to be practiſed by one *Engliſhman* againſt another, his Fellow Subject; the Trader and the Soldier being ſuppoſed to bear their reſpective Parts under the ſtricteſt Conjunction poſſible againſt the Enemy. I know, My Lords, there is a Diveſity of Opinions in this Caſe; yet I follow this, not only becauſe it hath more of natural Equity in it, and becauſe the modern Laws and Practice are exceeding favourable to Navigation and Traffick by Sea, but alſo becauſe I take it to have been the conſtant Practice in the Admiralty of *England*, and becauſe I meet with ſeveral Deciſions of the Parliaments of *Bourdeaux* and *Roüen* that were given in *Contradictorio Judicio* to this Effect. All which, *&c.*

L. Jenkins.

To the KING in Council.

May it pleaſe your Majeſty, *July* 23. 1672.

THE Ship *The Palm Tree* of *Topſham* (whereof I am, in Obedience to your Majeſty, to give an Account) was taken off *Plimouth* on the 5*th* of *June* laſt, by a *Dutch* Privateer, and retaken the 12*th* following, at the Mouth of the *Texell*, as it was making into it, by *Peter Kenton* an *Engliſhman*, ſailing with a private Commiſſion from my Lord Duke of *Richmond*, and ſince brought to the Port of *Sunderland* in *England*. The Queſtion is, whether this Ship ought to be adjudged to *Kenton* as a Prize, or elſe reſtored to the *Engliſh* Proprietors upon Salvage? I muſt confeſs there have been Judgments in the Admiralties of *France* given, whereby Ships, thus reſcued, having been above 24 Hours in the Power of the Enemy, hath been adjudged Prizes to the Reſcuer, even againſt the *French* Subjects; and there is an expreſs Ordinance of *France* to that Effect: But this Ordinance hath never been affirmed or verified (as they call it) by Parliament; theſe Judgments upon it have been reverſed by ſeveral ſolemn Deciſions in the Parliaments both of *Bourdeaux* and *Roüen*; and *French* Proprietors have recovered again their Ships upon Salvage, notwithſtanding a much longer Poſſeſſion than that of 24 Hours by the Enemy. In *Spain* likewiſe the Law is ſo, that the King's Men of War are in all Caſes to reſtore the Ships of *Spaniſh* Subjects upon Salvage. In *England* we have not the Letter of any Law for our Direction; only I could never find that this Court of Admiralty either before the late Troubles, or ſince your Majeſty's happy Reſtauration, has in theſe Caſes adjudged the Ships of one Subject good Prize to another; and the late Uſurpers made a Law in 1649, that all Ships reſcued, whether by their own Men of War, or by Privateers, ſhould be reſtored, upon paying one Eighth Part Salvage, without any Regard to the Time ſuch Ships had been in the Poſſeſſion of the Enemy, or to any other Circumſtance, unleſs the Ship taken were made a Man of War by the Enemy; and in that Caſe, a Moiety

went

went for Salvage, but the Ship was ſtill to be reſtored. Whether the Uſurpers intended this as a Novelty, or an Affirmance of the ancient Cuſtom of *England*, I will not take upon me to determine; only I will ſay, that Condemnations upon the Enemies Poſſeſſion for 24 Hours, is a modern Uſage: And the other Practice, of reſtoring ſuch Ships upon Salvage to Fellow Subjects, is more agreeable to the Equity and Gallantry of the old *Imperial* Law, and ſuits beſt with that Protection which the Arms of a Prince in War are intended to give to his own Subjects. So that upon the whole Matter, I am of Opinion, that this Ship ought forthwith to be diſcharged, to proſecute her Voyage for *Newfoundland*; and in caſe they cannot adjuſt the Salvage, then the Proprietors to give good Bail to the Reſcuer, to pay ſuch Salvage as he ſhall, upon weighing the Circumſtance of his Hazard, Pains, and Expence, be found to deſerve. All which, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Nov.* 8. 1672.

THE *Daniſh* Galliot, mentioned in a Memorial annexed, was condemned in the Admiralty the 20*th* of *September* laſt, a Month before the Date of the Memorial; the Reaſon was, that there was no Proctor or other Perſon impowered, that appeared in Judgment to defend it.

IT is true, there was a Paſſport bearing Date near two Years ago, *viz. Octob.* 20. 1670. under the Queen Mother of *Denmark*'s Hand and Seal to it; but the Maſter doth upon his Oath moſt expreſly confeſs, not only that his Voyages have been too and from *Amſterdam*, but that one *Henrick Mathias*, who has liv'd Thirty Years laſt paſt at *Amſterdam*, had bought this Ship at *Amſterdam* of a *Hollander*, and that the Bill of Sale was made to the ſaid *Henrick Mathias* in his Name, and not to the Queen Mother of *Denmark*, nor in her Majeſty's Name.

IT is true, that the Envoy did me the Honour to call upon me before this Condemnation was paſt; he was pleaſed to urge the Treaties between the Two Crowns; but I did, with all Humility, obſerve to his Excellency, that this Ship had not a Paſſport in that Form on board it, as by the Treaty was required; and therefore the Property being (as the Maſter had upon Oath confeſſed) veſted in an Inhabitant of *Amſterdam*, not only by a Bill of Sale, but by his actual Payment of the Value when this Ship was bought, I was to proceed *ſecundum allegata & probata*, and to pronounce this Ship to be Enemies Goods, notwithſtanding the Paſs of two Years old on board it.

I did at the ſame time profeſs a Reverence for the Queen Mother of *Denmark*'s Paſſport; and told his Excellency, that if there appeared a Proctor in Judgment, and ſhould claim the Ship in the Queen Mother of *Denmark*'s Name, he ſhould be heard fully, in any Proofs or Defence he had to make againſt the Condemnation; but there never appeared any Proctor, or other Perſon, with Power to claim, as your Majeſty's Rules of the Admiralty do direct and require; the Sentence of Condemnation therefore ran *in pœnam Contumaciæ*, according to the uſual Form.

THIS Sentence is appeal'd from, to my Lords your Majeſty's Commiſſioners of Appeal; and their Lordſhips, on the 7*th* of *October* laſt, decreed me to be inhibited from putting my Sentence in Execution; but it appeared unto their Lordſhips on the 15*th*, that *Suckley* the Appellant hath no Proxy, and his Appeal is admitted, in caſe he does ſhew a ſufficient Proxy and Power to claim, and not otherwiſe; whereby it is manifeſt, that here is no Proxy, nor Legal Power produced in Judgment to proſecute this Claim to this Day. The Memorial ſuppoſes this Cauſe to be ſtill depending in the Admiralty, whereas it lies before my Lords the Judges of Appeal.

I am not able to give any Account of what is ſaid in that Memorial, to have been told his Excellency by the Judges of the Admiralty, of a Neceſſity to make Proofs by two *London* Merchants, that the Queen Mother bought and paid for this Ship; for beſides that, I cannot gueſs whom his Excellency apprehends to be in your Majeſty's Service, in Quality of Judge of the Admiralty, beſide my ſelf; my Notion and Judgment of our Ways of Proceeding, could not poſſibly lead me to offer any ſuch Diſcourſe to his Excellency. And whereas his Excellency ſeems to intimate, that the Documents annexed to this Memorial were on Board the Ship at the taking, I ſuppoſe he means only the Queen's Paſſport of the 20*th* of *October* 1670, and not that bearing Date at *Copenhagen*, the 3*d* of *September* laſt, for that could not poſſibly be on Board it: However, the Condemnation was not for want of Proof, which poſſibly might have been made to clear that Ship; but for want of proſecuting according to the Forms which your Majeſty requires to be obſerved in that Court of Juſtice. All which, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Nov.* 9. 1672.

I Have had the Honour, about Six Weeks ago, to give your Majeſty an Account, by Mr. Secretary *Coventry*, of Captain *Bienvenue*'s Caſe, by way of Anſwer, which your Majeſty commanded to be given to a very large Memorial of his Excellency the *French* Ambaſſador on that Behalf; the Addreſs annexed is from Captain *Bienvenue* himſelf, who is now proceeded againſt, and his Cauſe ready for hearing in the Admiralty. The Charge againſt him is Piracy, Murder, and other very high Miſdemeanours. He complains to your Majeſty, that his Crew, having mutiny'd and rebell'd againſt him, are no Legal Witneſſes; but he not daring, it ſeems, hitherto to appear in Perſon, doth not offer this Defence, or any other, in the proper Place; I mean, in the Court where he is proceeded againſt; if he pleaſe to come at any Time he ſhall be fully heard there; and if Sentence do go againſt him, he hath his Remedy by way of Appeal to your Majeſty in *Chancery*; in the *interim*, his Royal Highneſs has an Intereſt, that the preſent Proceeding at Law be not interrupted; for if the Piracy be legally proved againſt him, the Forfeiture of Ship and Goods, or the Value they are ſold for, reſtored; but to pray that the Trial of this Crime be remanded into *France*, or that his Accuſers, who are none but ſuch as proſecute on your Majeſty's and his Royal Highneſs's Behalf, to give 2,000 *l.* Security for his Damages, is, as I humbly conceive, againſt your Majeſty's Prerogative, and the Courſe of the Law in *England*; and I know no Means the Captain has now left to ſave his Ship, but to appear in Perſon, and to purge himſelf by due Courſe of Law. All which, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *April* 21. 1673.

IN Obedience to your Majeſty's moſt gracious Order in Council, commanding me to report to this moſt honourable Board, the chief Grounds and Reaſons of my Sentence of Condemnation given againſt the Ship and Goods of Captain *Bienvenue*, arreſted as *Bona Piratarum* at *Kinſale* in *Ireland*, I have thus much humbly to lay before your Majeſty.

1. THERE have been two Sentences given againſt this Captain, the one was, an Appeal from the Judge of the Admiralty of *Kinſale*, in a Cauſe of Mariners Wages: It was a Sentence ſimply remiſſory, (for that the Plaintiff did not put in any Libel, or deduce any Cauſe he had to appeal) I could do no otherwiſe than remit the Cauſe to the Judge *à quo*, no Perſon appearing in 4 Months Time to proſecute or maintain the Appeal: So that the Captain muſt blame his own Neglect and Contumacy, if he were not relieved; for he ſhould have been heard, and his People chaſtis'd, had it legally appeared they were, or had been mutinous; had demanded, or done any thing not agreeable to their Contract, and the Cuſtoms of the Sea. And I know not, under Correction, any other Way, whereby your Majeſty's own Subjects may be relieved in any Cauſe, againſt a Sentence judicially given, but by the like Judicial Sentence in a ſuperiour Court of Appeal: There being nothing more unheard of in *England*, than to meaſure Judicial Proceedings by extrajudicial Surmiſes or Reports of a Party, who durſt not, at leaſtwiſe did not appear in Judgment to make good what he has ſo often, in ſo many Addreſſes, alledged to your Majeſty.

THE 2*d* Sentence was in a Cauſe of Piracy, begun here in the Name and Right of his Royal Highneſs, as Lord High Admiral of *England*. But the Proſecution was not begun till after Information had been given upon Oath to the Court, of ſeveral Piracies committed by the ſaid Captain, who being ſummoned to anſwer, and make his Defence, made no Appearance, and all the Proceedings were *in pœnam* of his Contumacy; a Libel or Charge was given in, Witneſſes were produced and ſworn upon it, Publication was decreed, and Sentence was given, the Rigours and Solemnities of the Law being in all Things obſerved. The Charge upon him, and proved againſt him, conſiſted of the following Heads.

1. IT was depoſed by ſeveral Witneſſes, that Captain *Bienvenue* ſet out of *Rochel* in *March* 1670-1, with an Equipage of 24 Men, whereof one and twenty were *French*, one *Venetian*, one *Dutchman*, and one *Engliſhman*. His Ship was called, *The Orange Tree*: Her Force was 5 Guns mounted, 20 Muſquets, 12 Caſes of Piſtols, about 20 Cuttle-axes, beſides other Weapons. The Deſign was declared for *Guinea*, from thence to the *Weſt-Indies*, and thence back again directly for *France*. The Agreement with the Crew was at 10 Months certain, and 12 uncertain.

2. THAT

2. That next Day after ſetting Sail from *Rochel*, he eſpying three *French* Fiſhermen, mann'd out his Ship with his Lieutenant, his Son, and 4 others, with Fire-Arms and Cuttle-axes, and commanded them to ſeize the ſaid Fiſhermen, which was accordingly done; and they were, by his Command, robbed of about 40 *l.* worth of Fiſh, which was brought on board him pickled, and ſerved for a great Part of the Voyage.

3. That *Bienvenue*, after he had been 14 Days at Sea, took down the Arms of the *United Netherlands*, which were upon the Stern, and burned them, and coloured it *Blue*; and two Days after eſpying an *Engliſh* Veſſel under *Engliſh* Colours, and in contrary Courſe to him, put up *Dutch* Colours, and with full Sail chaſed the ſaid *Engliſh* Ship, haling them to ſtrike, and come on board him; which the ſaid *Engliſh* Ship refuſing to do, and endeavouring to eſcape, the ſaid Captain commanded his Lieutenant to fire at her two Guns, and continued to fight her three Hours, charging his Company to lay her on Board at the firſt Opportunity; but the *Engliſh* Ship eſcaping by the Benefit of the Night, the ſaid Captain returned to his Courſe for *Guinea* again.

4. That about 5 Days after, he, the ſaid Captain, eſpying another *Engliſh* Veſſel, he put out *Dutch* Colours, and purſued her ſo eagerly till he came up with her; the Maſter being commanded on Board him, and not ſtrong enough to reſiſt him, ſubmitted; who proving to be a *Dartmouth* Man of *Bienvenue*'s Acquaintance, was (leaſt, as the Witneſſes do depoſe, the piratical Deſigns of the Captain might be diſcovered) diſmiſſed for 12 *Poor John* Fiſh; the *Dartmouth* Man diſcovering, by his trembling and confeſſing when he came on board him, that he took *Bienvenue*'s Ship, by the manner of the Chaſe, to be a *Turks* Man of War.

5. That his Company declaring, as it is depoſed, their Diſlike to his piratical Practices and Deviations from the *Guinea* Courſe, and his Merchant Voyage he at firſt agreed upon; and telling him, that his Endeavours of Piracy and Deviation, in Chaſe of the Ships he met with, was not the way to *Guinea*. He anſwered, he would alter or divert his Courſe no more; but what Ships he found in his Way, be they *Portugueſe*, *Spaniards*, or whatever other Nation, he would have a Pull at them, and take them if he could.

6. 'Tis likewiſe depoſed, that among others of his Company whom he beat and bruiſed, that the ſaid Captain beat an *Engliſhman* in ſo inhumane and cruel a Manner, that that beating, in the Judgment of the Chirurgeon, was the Cauſe of his untimely Death.

7. It is further depoſed, that the ſaid *Bienvenue* preſſed and compelled ſome of his Company that lay ſick and languiſhing a Bed, to riſe and work beyond their Strength; ſuch was his Cruelty exerciſed on the Carpenter, who being threatned to be cut in Pieces, or thrown alive over-board, was forced to riſe out of Bed to work, whereas he fainted and died the next Day. Another of his Company being ſick and languiſhing, he commanded to be ſet on Shore in the Iſland of St. *Thomas*, leaving him there to the Mercy of thoſe Savages, without Money, Cloaths, or Victuals.

8. It is depoſed, that when the ſaid Ship, *The Orange Tree*, being deſtitute of her Pilot (lately dead), and not venturing to ſail further in the River upon the Coaſt of *Guinea*, pray'd and obtain'd a Pilot from an *Engliſh* Ship, which ſhe diſcovered in the ſame River; in Return whereof the Captain would have his Company join with him to rob the ſaid *Engliſh* Ship; which he would have effected, had not his Company refuſed.

9. That the ſaid Captain having hired Negroes to mend his Boat, and leaving one of his Company among them in Pledge for Payment, refuſed to give them any Satisfaction, but weighed Anchor, and left the Mariner behind him to the Mercy of the Barbarians.

10. It is alſo depoſed, that *Bienvenue* being at the Iſland of St. *Thomas*, had two *Portugueſe* put on Board him, whom he obliged himſelf to put on Shore in ſome Chriſtian Plantation; but he carried them to *Cayana*, a *French* Plantation, where he expoſed them to Sale; and afterwards to *Barbadoes*, where they were ſold for Slaves: And at laſt the Injury done to the *Portugueſe* being diſcovered to the Juſticiary there, they were ſet at Liberty, paying ſome Compoſition to the Buyer.

These, under your Majeſty's Correction, were the Grounds of that Sentence I did pronounce; the Defendant might have taken any Exceptions to them, had he thought fit to appear; and if he hath appeal'd within the Time limited by the Law, his Exceptions will be ſtill entire unto him: And it will be proper for the Judges of Appeal to determine, whether a Perſon accuſed of Piracy, being not your Majeſty's Subject, may be proceeded againſt *in pœnam Contumaciæ*, to the Condemnation of his Ship and Goods as *Bona Piratarum*, in any of your Majeſty's Ports where he happens to be arreſted? And whether your Judges be obliged *ex officio*, in a Caſe as this is,

to

to wave the Cogniſance of it, and to ſend it to be tried into *France*; which I muſt confeſs I did not do, as knowing no Law, Cuſtom, or Treaty, that directed any ſuch *Renvoy*, or Diſmiſſion, as is deſired; being certain that had I given Cauſe by this *Renvoy* to his Royal Highneſs's Council to Appeal, your Majeſty's Judges Delegates would have thought it ſomewhat ſtrange, as the Law of *England* is, that the Lord High Admiral of *England*'s Council ſhould be ſent into *France* to plead for his *Droits* of Admiralty accrued to him in your Majeſty's Ports. All which, *&c.*

L. Jenkins.

To the Right Hon. the Lords Commiſſioners of the Admiralty.

My Lords,

THE Merchants, Freighters of the two *Engliſh* Veſſels, the *Dove* of *Bridlington*, and the *Elizabeth* of *Yarmouth*, as alſo the reſpective Owners and Maſters of thoſe Veſſels, have, as I conceive, a good Action of Spoil and Damage, as we here term it, againſt the *Dutch* Caper that detained and robbed them. Nor do I know that this Action can be any where but before your Lordſhips in the Court of Admiralty, where the Merchants and Owners are to proceed by Proceſs, againſt the Man of War and the Commander, in order to be repaired; the firſt for the Loſs of their Goods laden on, and taken out of the ſeveral Veſſels; the other, of their Loſs of Time, and the Violences whereby they were forced out of their Courſe. And tho' what the *Engliſh* have been forced by Torture to confeſs, ſhould be true in Fact, *viz.* that their Lading did belong to *French* Subjects, yet this Caper was not to meddle with them; it being expreſs in the 35*th* Article of the Marine Treaty of *Breda*, that *Engliſh* Bottoms ſhall make their Goods free, who happen to be Enemies with the *Dutch*.

This being the Caſe, your Lordſhips will, I doubt not, find Cauſe to aſſert an Article ſo beneficial at this Time to the *Engliſh* Trade, and not ſuffer ſo open a Violation of it to go unpuniſh'd.

As for the Way of puniſhing the Captain, for his Violences and Menaces of Torture and Death; as alſo thoſe of his Officers, for torturing our Pilot with ſuch barbarous and unmanly Cruelties; the regular Way is, at a Seſſions of Oyer and Terminer for the Admiralty. There we proceed by Jury, and in all Things according to the Courſe of the Common Law; but the Commiſſion we had always on Foot for that Effect is, upon the Reſignation of his Royal Highneſs, no longer in Force; and, as I humbly conceive, muſt be renewed in your Lordſhips Names.

In the mean time, theſe Men may be committed to the *Marſhalſea*, and their Ship continue under Arreſt, till the Owners of *Fluſhing* do give Bail to the Action of the Merchants, or elſe may be ſold by Decree of the Court, to prevent its periſhing, in caſe the Setters out appear not to defend it. All which, *&c.*

L. Jenkins.

To Mr. Secretary Coventry.

Sir,

THE Matter of Fact is repreſented in this Memorial (which I take Leave to return here incloſed) very differently from the Proofs as they lie here in the Admiralty againſt *Cornelius Arenſon*, the *Fluſhing* Privateer; for there it is ſworn, the Torture was acted upon our Men in his Preſence, and with his Approbation; and that it was not one *Frenchman*, but two of the King's *Engliſh* born Subjects, that were put to this Torture.

The Matter of Law likewiſe, as it is inſinuated, will not be agreed to on our Part here; for the Goods of *Frenchmen*, (are by the 35*th* Section of the third Article of *Breda*) when they are laden in *Engliſh* Bottoms, tho' found there by the *Dutch*, (who are now in Enmity with the *French*) to paſs free and diſcharged; ſo that this Privateer had no Right to intermeddle with the Lading of our Ships, ſince the Lading was not contraband, but Wines and Brandy, tho' we ſhould ſuppoſe they belonged (which yet is denied upon Oath) to the *French*.

Another Queſtion in Law is offered at to be begg'd in this Memorial; it is, that this Captain, if the Charge againſt him be true, is to be ſent into *Holland*, where the States will take Order to have him exemplarily puniſhed, by the Judge that is competent in this Caſe. I will not ſay, Sir, that this is an Inſinuation, that we have no Judges competent here in *England* in this Caſe; but I ſhall, under Correction, preſume to aver, that there is neither Law nor Precedent for this kind of *Renvoy*, which is here demanded, from one abſolute Soveraign to another, that does obtain, and is of Force in any Part of *Chriſtendom* at this Day.

But

But if his Majeſty is diſpoſed to do an Act of meer Grace and Clemency, in Favour of this Memorialiſt, my Lords the Lords Commiſſioners of the Admiralty, by whoſe Order theſe Men are in hold, may, if their Lordſhips think fit, direct the Judge of the Admiralty, or his Surrogate, to take Bail of theſe Men for their Appearance at the next Seſſions of the Admiralty; and if they have been in Irons, as is ſuggeſted, it will be ſo much the more a Grace to do it, as it is not poſſible in ſome Weeks yet to hold thoſe Seſſions of Oyer and Terminer for the Admiralty; for it hath ſo fallen out, that the new Commiſſion for that Purpoſe, could not poſſibly be got out Time enough to give Notice to the Sheriff of *Surry* to do his Part, before my Lords the Judges went their Circuits; nor would it be decent to execute ſuch a Commiſſion, wherein moſt of them uſed to be named, at a Time when all of them are abſent. It being always our Cuſtom, to give Notice to ſuch as are in Commiſſion and in Town, of our Time and Place of ſitting; and where there is arduous Matter of Life and Death, to pray their Preſence and Aſſiſtance. However, the private Man of War, if it can diſintangle it ſelf from the Civil Action of Damage laid againſt it by the Proprietors of the Wine and Brandy it did ſeize, may be diſmiſſed by their Lordſhips Favour and Grace, to the *Dutch* Setters out; who have by this Detenſion ſuffered their Share abundantly for the Miſdemeanour of their Captain. And my Lords the Commiſſioners may poſſibly come to the ſame favourable Reſolution, touching thoſe *Engliſhmen*, who are now in the ſame hold with theſe Torturers, for bearing Arms with the *Dutch* in this unhappy Man of War. I am, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Nov.* 27. 1674.

UPON Sight of the Memorial annexed, I cauſed a Search to be made in the Regiſtry of this Court of Admiralty, and find an Original Warrant, taken out by *Thomas Delavall*, to arreſt the Ship *Mercury* in the Point of Property, as belonging to himſelf and Company; which was done (as is moſt uſual in this and other Courts) without any Information previous, or Decree that it ſhould iſſue out: The Merits of ſuch Warrants being to be heard after the Execution, and upon the Return; that Warrant being not yet return'd, nor any Application, nor Complaint here being made about it, I ſent for the Proctor, whoſe Hand was to the Regiſtry of Warrants (as having taken it out), and finding that his Client (*Delavall*) had no other Pretence to arreſt the Ship, but that it had been taken from him as Prize in the late War, and had not yet broken Ground in any Part of the *Low Countries*, or been condemn'd according to the uſual Forms; I did immediately ſend for the Regiſter, and decree the Ship to be releas'd. And ſo now it ſtands diſcharg'd of the Arreſt; for the 4 *th* Article of the Treaty of *Breda*, reaffirm'd by that of *Weſtminſter*, does give an indefeiſable Title to the *Hollander*, in Poſſeſſion of this Ship (if he were ſo, or any other *Hollander* from whom he derives) at any Time during the War, and debars Mr. *Delavall*, who was out of Poſſeſſion at the Time when the laſt Treaty of Peace took Effect, of all Plea whatſoever to recover the Ship.

I ſhall moſt humbly crave Leave to obſerve to your Majeſty, for the purging this Court from any vexatious, or indirect Proceedings in this Caſe, that 'tis lawful for any of your Majeſty's Subjects, and that it hath been the conſtant Courſe, to take out ſuch an Original Warrant out of this your Court, to arreſt any Ship whatſoever, without giving any Account of his Pretences, till the Return of this Warrant: But he doth it at his own Peril, if he do it upon miſtaken or illegal Grounds. So if the Agent, or Correſpondent of the Maſter here, had made the leaſt Application, or given Information to this Court, the adverſe Proctor would have been called to anſwer to the Complaint; and the Ship, upon Hearing, would have been forthwith diſcharged: And then his Excellency the *Dutch* Ambaſſador would not have troubled your Majeſty with this Memorial, which comes, under Correction, when Juſtice is not ſo much as demanded, much leſs delayed, or denied in the ordinary Courſe.

L. Jenkins.

To Colonel Bream's *Deputy of the Admiralty in* Dover.

SIR, *May* 31. 1675.

THIS Gentleman coming to me Expreſs from the Mayor and Jurates of *Hyth* for Advice, in Relation to a *Dutch* Merchant Man that ſav'd it ſelf from a *French* Man of War: I perceive that the Serjeant of the Admiralty threatens that Town with

with Trouble, and Interruption in their Affair; but I fear you'll find he goes beyond his Commiſſion, very much to the Diſhonour of the Government, and contrary to all Law and Senſe; for the *Dutch* being now the King's Allies, and flying to his Port, (which ought to be ſacred for Protection) they incur no Forfeiture of Anchor and Cable, nor any other Duty by Way of Salvage. 'Tis barbarous, as well as unjuſt, to demand any Thing in ſuch a Caſe; and if it came to the King's Ear by Way of Complaint, the Serjeant muſt expect to ſmart for it. I am glad the Men of *Hyth* have done their Duty ſo well, in ſhewing themſelves ready to defend the King's Ally in the King's Port; yet there is no ſuch Thing as Salvage as they can pretend to, only ſuch as have ſpent any Time, or given their Aſſiſtance in the Service, ought to have a *Quantum Meruit* (every one in Proportion to what each of them hath deſerved) much leſs hath the Serjeant any Colour to demand the Cuſtody of any of the Goods that are depoſited in the Towns Mens Hands. There being nothing of Wreck or Enemies Goods in this, but the voluntary Act of the Maſter, putting theſe Goods into their Hands and Keeping. If the *Dutch* Merchant be not gone clear away, he'll ſatisfie the Towns Men for their Damage and Pains; if he be, the Mayor and Jurates may legally deſire from the Court of Admiralty a Sale of ſuch of the Goods as are *peritura*; and the Court may, if the Merchants come not to ſatisfie the Men of *Hyth*, adjudge them what is reaſonable, reſerving the reſt to the Proprietors. This I thought fit to write to you, SIR, that the Court may not run into any Error or Reproach, in a Caſe where the King's Honour and the Law of Nations is concerned. I'll ſpeak with the Governour by and by in the Houſe of Commons. I am, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *May* 12. 1675.

I Have, in Obedience to your Majeſty's Command, intimated to me by the Right Honourable Mr. Secretary *Williamſon*, peruſed the Memorial of his Excellency the Lord Ambaſſador of the States General of the *United Provinces* of the $\frac{7}{17}$ *April*, concerning the Ketch St. *Joſeph*, and do find the Matter of Fact therein to be deduced as follows: That the Ketch St. *Joſeph*, belonging to *Engliſh* Subjects, was firſt taken by Sally Men of War, and was afterwards bought of them by *French* Merchants; and that the ſame Ketch, being in the Poſſeſſion of the *French*, was again taken from them by the *Dutch*, ſince the Beginning of our laſt Wars againſt the *United Provinces*, and condemned in *Holland* for good Prize, and afterward ſold to a *Holland* Merchant: That this Ketch being in a Courſe of Trading, happened to come to the Port of *Dover* in *October* laſt, and was arreſted there at the Suit of an *Engliſh* Merchant there; alledging, that himſelf was the true Owner thereof, before ſhe came into the Hands of the *French*; and that this Ketch having been taken from him by *Algerines*, it was not good Prize to them (your Majeſty not being at Peace with them at that Time) nor conſequently a legal Purchaſe to the *French*.

THE Matter of Fact being ſuppoſed to be thus, it is my humble Opinion, that the *Engliſh* Proprietor hath loſt his Right in the Ketch, the very Moment it came to the Hands of the *Hollanders*, ſince it came to their Hands, during the late Hoſtility; and that the *Hollander* that took it, (what Circumſtances ſoever of Time and Place the firſt Capture had) acquired an abſolute Property in it, which was made irrecoverable by the ſubſequent Treaties. But I find upon Information from the Regiſter of the Admiralty Court of *Dover*, that this Action hath been diſmiſſed there, (as it ought to have been) becauſe it being made out, that the Poſſeſſion was once veſted in the *Dutch*, during the War, all Right, Property, and Title of the *Engliſh* Proprietors therein became extinguiſhed, by the 4*th* Article of the Treaty of *Breda*; by which all ſuch Poſſeſſions are made legal, and not to be called in Queſtion, as it hath been often (I may ſay very often) judged in your Majeſty's Court of Admiralty here in the like Caſes. But the *Engliſh* Proprietor finding his Action diſmiſſed in the Admiralty, layeth an Action of Trover and Converſion upon the ſame Ketch at Common Law in the Town Court at *Dover*, before the Mayor there, where the ſame Information tells me, it is now depending. Whether this Way of Proceeding be not vexatious to poor Strangers coming upon Confidence of the Law of Nations, to trade in your Majeſty's Ports, as alſo injurious to the ancient Rights of Admiralty, I ſhall not take upon me to determine. Only your Majeſty may be pleaſed to conſider, that this Trover (if any ſuch there were) was upon the high and open Seas, and that the Mayor of *Dover* cannot draw the Cogniſance of it before himſelf, but by a Fiction at Law, which Kind of Fiction, if us'd and allowed, may remove all Matters cogniſable before the Admiralty, to the Courts of Common Law, fitting in the

the ſeveral Ports of this Kingdom; and conſequently make the Officers of ſmall Corporations Judges upon the Law of Nations, and your Majeſty's Treaties with Foreign Princes and States; which not being exactly heeded to, may be an Occaſion of the like hard Meaſures, Vexations, yea, of Repriſals too, upon your Majeſty's Subjects in Foreign Countries; how this may be remedied, I ſhall not preſume to offer to your Majeſty, aſſuring my ſelf, that my Lords your Majeſty's Reverend Judges and Council at Common Law, will fully inform your Majeſty, as well upon the Right, as upon the Conſequence of ſuch Proceedings. All which, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *May* 12. 1675.

I Have, in Obedience to your Majeſty's Commands, intimated unto me by the Right Honourable Mr. Secretary *Williamſon*, peruſed the Memorial of his Excellency the Lord Ambaſſador Extraordinary of the States General of the *United Provinces*, of the 7*th* of *April* laſt, concerning the *Poſtillon* of *Cadiz*, a *Dutch* Ship belonging to *Horne* in *Holland*, and laden, among other Commodities, with 164 Pipes of *Spaniſh* Wines; what is deduced in the ſaid Memorial, exactly agrees with what the Maſter himſelf and ſeven others (your Majeſty's Subjects, that are Perſons unconcerned, and were Eye-Witneſſes of the Fact) do ſpeak in their Depoſitions, taken before the Deputy Vice Admiral of *Dartmouth*, and is to the Effect following: *viz.* That the ſaid Veſſel, on the 29*th* of *March* laſt, being at Anchor in your Majeſty's Port of *Torbay*, and finding four *French* Ships making at her, and by the Guidance of a Pilot from on Shore, cut her Cable, and ran a-ground for better Security, within half a Halſer's Length of the Key. That the ſaid *French* Ships arm'd, mann'd, and ſent out 4 Boats, under the Conduct of a Frigate, to ſeize the ſaid *Dutch* Veſſel, which the *French* accordingly did; they advancing ſo far within the Port, that the Bullets which they ſhot lighted on the dry Shore (ſo near were they to the Land): And notwithſtanding there was a Muſquet ſhot from Shore at them, for a Signal of your Majeſty's Authority and Protection, they boarded and carried her away. That afterwards the Deputy Vice Admiral went on board the *French* Admiral, and in your Majeſty's Name demanded Reſtitution of the ſaid Ship and Lading, as being unduly ſeized within your Majeſty's Port, and violently carried away from off your Majeſty's Ground. But the *French* Admiral excuſed himſelf, ſaying, that ſince he had taken her, he muſt carry her into *France*; and if it was to be diſputed, he would leave that to the King his Maſter.

That the Matter of Fact was thus, I have all Reaſon to believe, becauſe it agrees with the Information I have from Sir *John Fowell*, your Majeſty's Vice Admiral in thoſe Parts; and I humbly conceive it to be a Violation of that Security, which all Parties in War ought, by the Law of Nations, to ſuffer each other to enjoy in your Majeſty's Ports. And as your Majeſty's Vice Admiral uſed his Endeavours to prevent the ſaid Violation, ſo the *French* Commander is more deeply in the Wrong, in that the Action here is not of a deſperate Caper, but of a Commander of Note; who being admoniſh'd by the proper Signal, and ſpoken to by the proper Officer to forbear Hoſtility, has more violated the Reverence due to your Majeſty's Ports, than I have known hitherto in any Caſe that has fallen within the Compaſs of my Obſervation.

That there is a Reparation moſt juſtly due to your Majeſty, and to your Majeſty alone in this Caſe, is my humble Opinion; yet I know not how that Reparation can be reputed a full and ſatisfactory one, unleſs the Ship and Goods that were taken out of your Majeſty's Protection be reſtored, or elſe the full Equivalent thereof with the Damages; 'tis true, the *Dutch* are now in a Capacity to make a direct Demand of ſuch a Reſtitution from the *French*, yet if the wrong Doer do carry away and enjoy the Fruits of his Violences, and the innocent Ally be forced to ſit down by his Loſs, the Rights of Ports, where every Man promiſes to himſelf Safety from his Enemy, (as it were upon the Publick Faith) will be thought not aſſerted to the full, ſince they conſiſt not only in the Reverence due to the Government, but in the Indemnity of all Parties for the Puniſhment of an unjuſt Violence, ſuch as this is; and which undoubtedly belongs to your Majeſty, and to your Majeſty alone to puniſh; the Affront to Authority muſt in the firſt Place be expiated, but then the Loſs to the Party violated ought, as I humbly conceive, to be fully made up. However, the Time and Manner of demanding this Reparation, is not (cannot be) preſcribed by any Rule of Law that I know of; therefore I ſhall not preſume to ſpeak any Thing in it; your Majeſty's Reaſons of State, and your Royal Reſentment, being the proper Meaſures for this Demand. All which, *&c.* *L. Jenkins.*

To the KING.

May it pleaſe your Majeſty, *May* 20. 1675.

I Have, in Obedience to your moſt gracious Command intimated to me by the Right Honourable Mr. Secretary *Coventry*, examined the Matter touching ſeveral Parcels of *Guinea* Gold, which were, by virtue of a Warrant from the Admiralty, ſeiz'd on Board the Ship *William*, *Henry Oakes* Commander; who being ſworn before me, depoſed to the Effect following: *viz.* That having taken in Negroes and other Goods upon the Coaſt of *Guinea*, he came to *Jamaica*, and having diſcharged them, was laden there with ſeveral Goods of the Growth of that Iſland, for particular Merchants here in *London*; and particularly that he took in ſeven Parcels of Gold, Silver, and Jewels there, for each of which he gave Bills of Lading; three of which Bills, for the Value of about 400 *l.* Sterling, he ſhewed me, Conſignation being to three *Jews* here in *London*; and the other four Parcels, he ſays, he cannot ſo particularly ſpecify, not having the Bills of Lading about him; but ſaith, he doth not know, nor hath any Suſpicion, that thoſe Parcels of Gold, Silver, and Jewels, or any of them, or any of the other Goods laden on Board the ſaid Ship at *Jamaica*, are belonging to his Majeſty, or that his Majeſty hath any manner of Right therein; but ſaith, 'tis true, that whilſt the ſaid Ship *William* was upon the Coaſt of *Guinea* as aforeſaid, there were, on or about the 15*th* of *July* 1674. laden, or put on Board the ſaid Ship, by one Mr. *Richard Rowe*, two Bags of *Guinea* Gold, containing 32 Marks, 4 Ounces; 13 Angels conſign'd to Mrs. *Anne Watſon*, or Order, for which alſo he ſigned three Bills of Lading, which the ſaid *Richard Rowe* ſaid belonged to one of his Majeſty's Men of War, called the *Phœnix*; (whereof Capt. *George Watſon*, late Husband of the ſaid Mrs. *Anne Watſon*, was a little before Commander) and ſaith, that the ſaid two Bags were brought out of his Majeſty's ſaid Man of War, (which lay then at *Cape Coaſt* on the Coaſt of *Guinea*, near to the ſaid Ship *William*) on Board the ſaid Ship *William*; and ſaith, that he well knoweth that his Majeſty's ſaid Ship the *Phœnix* did, a little before that Time, take near *Cormantine*, a Ship from the *Dutch*, called the *Aſia*; and that there were alſo ſome ſmall Parcels of Gold put on Board the ſaid Ship at *Guinea*, by others; but thoſe Parcels he is well aſſured the Laders thereof bought there, or had the ſame upon Barter from the Natives. Thus far this Maſter depoſeth.

This Gold conſigned to Mrs. *Watſon*, had been delivered out by this Maſter, and was taken by the Marſhal at *Graveſend*, as it was landing there.

That it was taken for Prize upon the *Guinea* Coaſt, will not, I ſuppoſe, be diſputed; but there will be a Queſtion, I perceive, that muſt be ſtated upon the Matter of Fact between the Taker and the *Dutch*; for it is ſuggeſted, upon what Ground I do not yet know, that this Prize Ship, the *Aſia*, was not taken till two Days after that Hoſtilities were, by the Treaty of Peace, to ceaſe upon the *Guinea* Coaſt. If this be true in Fact, the Gold muſt be reſtored to the *Dutch*; if otherwiſe, is to be condemned as lawful Prize; in the *interim*, all that is done, or can be done is, that this Gold, intended to be landed at *Graveſend*, is ſecured in the Hand of the Regiſter, and Monitions are iſſued out, in order to bring the Ship *Aſia*, and another *Dutch* Ship, called the *Maria*, to Judgment, whether Prizes or not, tho' the firſt be carried, as I am told, to *Barbadoes*, and diſpoſed of by your Majeſty's Governour there. This is all the Account I have been able to get of that Affair, which I humbly ſubmit to your Majeſty's Royal Wiſdom.

L. Jenkins.

To the KING *in Council.*

May it pleaſe your Majeſty, *Octob.* 8. 1675.

UPON the View that I have had of Captain *Cook*'s Proceedings in the Court of *Spain*, and particularly of the two Commiſſions or Sentences given by the Queen Regent; it is my humble Opinion, that Captain *Cooke* muſt proſecute theſe two Sentences at the *Havana*, and affect the Miniſters of Juſtice there with a Denial to execute the Queen's Commiſſions; or elſe with ſuch Delays as amount to a flat Denial, before that his Cauſe be ripe for the granting of Repriſals.

It is true his Caſe is ſad, and it may be as true, that theſe Sentences were given not with any Intention to remedy him, but as an Amuſement only, and with a Deſign to put him off. This ſeems to be the Judgment of his Excellency, your Majeſty's Ambaſſador upon the Place, which as it is a Matter of State, and an Account how the Miniſtry there governs it ſelf towards your Majeſty in this Juncture, I ſhall not preſume to offer any Thing to your Majeſty as to the State Part of it. But as to the

Matter

Matter of Law in this Caſe, I do humbly lay it as a Ground, that Repriſals will not lye, where there is neither Denial of Juſtice, nor ſuch a Delay of it, as amounts to a Denial.

In this Caſe, it cannot be ſaid there is a Denial, in Regard that here is an entire Satisfaction awarded in the Queen's Commiſſions, with Circumſtances of ſeeming Favour, all Appeals and other intermeddling with the Merits of the Cauſe being abſolutely forbid, and all neceſſary Power for the due Execution of them given to the proper Officer; nor yet do the Delays ſuffered in *Spain* amount to a Denial of Juſtice; for tho' the Attendance there was for 9 whole Months, yet a Judgment being ſued for, and at laſt given, that Delay cannot be ſaid to amount to a Denial of Juſtice.

It is true, and a great Miſchief, that the Parties wronged are ſent to the *Havana*, to have Reparation done them; yet I muſt confeſs, I cannot underſtand how it could have been otherwiſe ordered in this Caſe; and if a Spoil were committed upon *Spaniards*, by your Majeſty's Subjects of *Scotland* or *Ireland*, upon either of thoſe Coaſts, and that the wrong Doers were there, I know not how ſuch *Spaniards* complaining, could refuſe to go (when your Majeſty ſhould direct it) to ſeek and receive their Remedy, and the Execution of your Majeſty's Award and Pleaſure, from the Juſtice of the Place, where the Injury was done.

It is ſaid indeed in Captain *Cook*'s Memorial, that *Franciſco Lopez de Andrade*, one of the Spoilers, and others of them, were in *Spain*, while the Captain was there: Tho' this be true, yet it will be very obvious to the *Spaniards* to reply, that Captain *Cook* did not ſue out any Proceſs againſt him; and if he had, that the ſaid *Lopez* ſhould not have been ſhelter'd from the publick Juſtice. Thus it may be thrown upon Captain *Cook*, to ſhew he hath begun any Proſecution, Civil or Criminal, againſt *Lopez*, and that Juſtice was denied him, elſe his Complaint, that he is not like to meet *Lopez* at the *Havana*, will ſignifie little, to make that Circumſtance a Denial of Juſtice.

That which may ſeem hardeſt in Captain *Cook*'s Caſe is, that he is ſent to the *Havana*, to thoſe that have already flatly denied him Juſtice; and tho' they ſhould be prevailed with to proceed to execute the Queen's Commiſſions, yet that they will require a new Liquidation, and freſh Proofs of the Loſſes and Damages.

To this they will anſwer in *Spain*, firſt, that thoſe of the *Havana*, are now no Judges in the Merits of the Cauſe, but only Miniſters to procure the Reparation that the Queen hath awarded; as to the new Liquidation, they will ſay, they muſt be allow'd to govern themſelves according to their own Laws and Forms in the Manner of Proceeding. They will further confeſs, that the Proofs made in the Admiralty here, would have been ſufficient Grounds for Repriſals, had theſe Sentences for Satisfaction been denied him; becauſe the whole Matter muſt have been taken *pro confeſſo*, and the Sum in Proof muſt have been the Sum; for the levying of which, the Letters of Repriſal muſt have been granted and limited, for all Reprizals muſt be limited to a certain Sum: But the Queen not having condemned the wrong Doers in the Sum demanded and depoſed to in the Admiralty here, the Law there (if I miſtake not) allows the Defendants being ſeized, and executed upon, in Order to bring the Plaintiff to a new Liquidation.

One Miſchief more there is in this Caſe, the wrong Doers may prove inſolvent, or be dead by this Time, or elſe get out of the Reach of the Juſtice of the *Havana*; but theſe are Accidents, for which it can hardly be made out, that the Crown of *Spain* is accountable, in Caſe the Courts of Juſtice are otherwiſe always open. For theſe Caſualties are ſuch as frequently intervene in all the Governments in the World; and where Men come to be inſolvent, or cannot be met with, there can be no Remedy, tho' the Government it ſelf be never ſo nearly concerned, either in its own Revenue, or in the Execution of publick Juſtice.

All theſe Miſchiefs put together, give but little Proſpect or Hopes to Captain *Cook* of real Reparation, yet theſe are not (as I humbly conceive) of that Nature, as to excuſe or diſpenſe with him, (if he pretends to Repriſals) from uſing all Means and Diligences poſſible to demand, and proſecute the Execution of his Sentences at the *Havana*; for till he hath uſed all the Inſtances and Diligences, that any Subject of *Spain* would be obliged to in his Caſe, he will not be ſufficiently founded to obtain your Majeſty's Letters of Repriſals.

This Run will be extreamly tedious, chargeable, and uncertain in the Succeſs; yet I can think but of one Way to prevent it, it is (may it pleaſe your Majeſty) by calling on the Government of *Spain* to nominate certain Commiſſioners on each Side, that ſhall hear and determine this and all other Differences ariſing from Depredations at Sea.

The *Third* Article of the Treaty at *Madrid*, does expreſly mention, and in a manner ſuppoſe a Conſtitution of, and Recourſe to ſuch Commiſſioners, in order to prevent the hard Remedy of Repriſals. This would be much the ſhorter Way, but it would bring on ſuch Reckonings of the ſame kind, that they at *Madrid* do threaten to charge upon your Majeſty's Subjects: However, I humbly take Leave to mention it, becauſe the Queen Regent having given two Sentences or Commiſſions, that have the Countenance of an entire Satisfaction, (for ſo they are worded) it will be a very hard Matter for a Stranger, as Captain *Cook* is, not to make one falſe Step, but ſo to bring it about in his Proſecution, as to affect the Juſtice of *Spain* with thoſe wilful Delays, as may be fit for your Majeſty to grant Repriſals upon; and I mention this the rather, in that this Way of treating by Commiſſioners for Depredations, I find to have been the uſual Courſe between that Queen and her Neighbours.

One Word more I humbly crave leave to intimate, that the Treaty of *America* does require a further Elucidation and Adjuſtment by Conſent between your Majeſty and that Crown; for it appears by the Judgment of the Queen in that Matter of the *Compechè* Wood, and other Matters therein touched, that they in *Spain* are aforehand with your Majeſty, and do by their *Cedulas Reales*, affix new Interpretations, in declaring upon the Treaty, what ſhall be Pirate or not Pirate, what ſhall be Prize or not Prize, without communicating (it ſeems) with your Majeſty, and without any Publication that may reach your Majeſty's Subjects. All which, *&c.*

L. Jenkins.

To the KING in Council.

May it pleaſe your Majeſty, *Octob.* 11. 1675.

In the Caſe of *De la Mothe*, a *French* Privateer now under Seiſure at *Harwich* with his Prize, (a *Hamburgh* Ship bound for this Port) there are three Points in Diſpute between him and the *Engliſh* Merchants intereſſed in Part of the Lading.

The 1*ſt* is, whether that *Frenchman*'s Commiſſion be good to make the *Hamburgher* Prize? It being alledged, that the Commiſſion bears Date in *May*, but that the War againſt *Hamburgh* was not declared till *September*; having not ſeen this Commiſſion, I can ſay no more than that your Majeſty's Court of Admiralty is not to intermeddle in Judging upon the Validity or Extent of foreign Commiſſions, where the Parties are both of them Strangers, both your Majeſty's Allies, and both in War; if this *Frenchman* have a Commiſſion, tho' of an elder Date than the War with *Hamburgh*, I know no Law, by which we can hinder him from carrying away his Prize whither he pleaſes. It is permitted to him by the Law of Nations, to bring his Prize into your Majeſty's Ports, and 'tis permitted to your Majeſty by the ſame Law, to drive him out thence, as you ſhall ſee Occaſion. But I do not know that it is permitted for us to ſtop or detain him, unleſs he have done ſomething againſt your Majeſty's Laws or Treaties, or that your Majeſty's Subjects be concerned, in Point of Property, as to the Goods in his Prize, or have otherwiſe good Cauſe of Action againſt his Perſon.

The 2*d* Point is, whether this *Hamburgher*, being taken within one of your Majeſty's Chambers, and being bound for one of your Ports, ought not to be ſet free by your Majeſty's Authority, notwithſtanding he were (if taken upon the High Seas out of thoſe Chambers) a lawful Prize. I do humbly conceive he ought to be ſet free upon a full and clear Proof, that he was within one of the King's Chambers at the Time of the Seizure, which he in his firſt Memorial ſets forth to have been eight Leagues at Sea overagainſt *Harwich*. King *James* (of bleſſed Memory) his Directions by Proclamation *March* 2. 1604. being, that all Officers and Subjects, by Sea and Land, ſhall reſcue and ſuccour all Merchants and others, that ſhall fall within the Danger of ſuch as ſhall awaite the Coaſts, in ſo near Places, to the Hindrance of Trade outward and homeward; and all foreign Ships, when they are within the King's Chambers, being underſtood to be within the Places intended in thoſe Directions, muſt be in Safety and Indemnity, or elſe when they are ſurprized muſt be reſtored to it, otherwiſe they have not the Protection worthy of your Majeſty, and of the ancient Reputation of thoſe Places. But this being a Point not lately ſettled by any Determination, (that I know of in a Caſe where the King's Chambers preciſely, and under that Name, come in Queſtion) is of that Importance, as to deſerve your Majeſty's Declaration, and Aſſertion of that Right of the Crown by an Act of State in Council, your Majeſty's Coaſts being now ſo much infeſted with Foreign Men of War, that there will be frequent Uſe of ſuch a Deciſion.

The *laſt* Queſtion is, whether the *Engliſhmen* ſhould have ſuch Goods as belong to them in Property taken out of the Prize, and reſtored to them here, or elſe be forced to go into *France*, to claim and recover them. It is my Opinion, they ſhould be forth-

forthwith taken out and reſtored, they making full and clear Proof of their Property, that they were, and are upon their Account and Riſque; (as ſome have already done in the Admiralty) and purging themſelves by Oath, that they do not claim or colour any Thing for the *Hamburghers*; for where the Thing in Contention is within your Majeſty's Juriſdiction, there Juſtice ought to be adminiſtred, and no where elſe. And I do humbly conceive, that the *French* Privateer hath the leſs Pretence for a *Renvoy* into *France*, becauſe the Law is the ſame in that Country.

The Privateer in his Memorial does, on the other Side, complain, that the Officers of *Harwich*, in arreſting of him and his Prize, have pillaged him of his Arms and Ammunition; which, if true, will deſerve your Majeſty's ſevere Animadverſion againſt thoſe, that, under Colour of Authority, do abuſe the Honour and Protection of your Majeſty's Port. And 'tis likewiſe a Wrong, and a Matter of juſt Complaint to the Privateer, if any of the Goods in his Prize have been unladen, before the Claimers had made Proof of their Property.

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Octob.* 22. 1675.

In the Caſe of *John Wiſe* and *Richard Holder* Merchants, complaining that your Majeſty's Frigates had carried away the Ships *Nicholas* and *Golden Anchor*, with their Lading, upon their Arrival in *Sally* Road, to your Majeſty's Port of *Tangier*, where ſeveral of their Goods (as they have been adviſed) are condemned in the Admiralty Court as contraband Goods.

These Merchants do own and confeſs, that they had ſent four great Guns, and two ſmall Guns, of above a hundred and half weight each, as a Preſent to the Governour of *Santa Cruz*; as alſo a Quantity of *Barbary* Firelocks, as Merchandable Commodities, into the Hands of their Factor in that Port; ſuch Firelocks having been conſtantly ſent (as they affirm, in the Time of War as well as of Peace) as Merchandize, by the *Engliſh* and other Nations, to that and other Ports upon the Coaſt of *South Barbary*.

Upon this Occaſion, I ſent to ſpeak with ſome of the Gunmaker's Company, and the Maſter, Wardens, and four of the Company, have ſubſcrib'd and ſworn to the Certificate here annexed; wherein it is certified, it hath been the ancient Uſage and Practice (themſelves ſpeaking for thirty Years and upwards) to tranſport and trade with a Sort of ſmall Guns, called *Barbary* Guns, into ſeveral Places on the *South Barbary* Coaſt; and that that Manufacture and Trade is a great Support to thoſe of that Company.

It is ſworn likewiſe, that the *Dutch* do bring conſiderable Quantities of *Barbary* Guns to that Coaſt, for the Uſe of the Natives there; and 'tis certified out of the *Cuſtom-Houſe* Books here in *London*, that in the Year 1665, which was a Time of War, theſe Guns have been ſhipp'd out for that Coaſt, and at ſeveral other Times, under the Name of wrought Iron.

This being the beſt Account I am able to give of the Matter of Fact, and Uſage; it is my humble Opinion, in Point of Law:

1. That none of your Majeſty's Subjects hath Right to take contraband Goods (under that Notion) from another, where the Tranſportation of the Thing is permitted by the Law of the Land; for the taking and confiſcating of contraband Goods, is either a Right of the Law of Nations, or elſe a Conceſſion by Treaty, which your Majeſty's Allies may challenge when they are in War, and find ſuch Goods tranſported by your Majeſty's Subjects: And nothing but a Law prohibiting the Exportation of ſuch or ſuch Goods, can give a Right to one Fellow Subject to confiſcate the Goods of another, and then that Right is expreſſed and limited by that Law.

2. That tho' it be true, that by the old *Imperial* Law, the carrying of Arms to Infidels, was prohibited upon Pain of Confiſcation of Ship and Goods, yet that Law was made upon the Account of the Hoſtility between the firſt Chriſtian Emperors and thoſe Infidels; now, beſides that there is no Hoſtility between your Majeſty and the People of *Santa Cruz*, but rather an Amity, (ſince we are permitted Commerce with them) that *Imperial* Law is ſuperceded by the Act of Tunnage and Poundage in the 12*th* Year of your Majeſty's Reign, whereby the Exportation of ſuch Merchandiſes as are here in Queſtion, are declared lawful, without any Limitation or Exception to any Place, Country, or Port; only it is left by ſpecial Proviſo to your Majeſty, to prohibit at any Time, when you ſhall ſee Cauſe ſo to do, the tranſporting of any Sort of Arms or Ammunition into any Parts beyond the Seas. So that if

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theſe Goods were deſigned for *Santa Cruz*, (as it is expreſly ſworn by the Owners they were) they cannot be reputed contraband by our Fellow-Subjects at *Tangiers*, notwithſtanding there be a War at this preſent againſt *Tripoly*.

THERE is one Objection, that they were taken in *Sally* Road, in a Time that your Majeſty hath a War with that People; I cannot think that theſe Arms were conſigned hence to the Port of *Sally*; for beſides that the two Proprietors, Merchants, it ſeems, of Credit, do expreſly ſwear, they were not ſo conſigned, but directly and expreſly to *Santa Cruz*; the Danger of conſigning them in a Time of War to an Enemy's Port was infinite, ſince it is no leſs than High Treaſon in the Tranſporter.

IF they at *Tangier* have confiſcated theſe Goods, for that the Ships came with a Deſign of bartering Cloths, or other Goods, (not to be reputed contraband) into an Enemy's Port, I know not what to ſay in that Caſe, unleſs they have your Majeſty's Permiſſion or Indulgence, upon your declaring the War againſt thoſe People; that which the Merchants do ſay is, that it is the common Uſage and Practice among thoſe People, when they have a War with any Prince or State of *Europe*, to allow all Security in their Ports to thoſe they have a War with, tho' they uſe all Hoſtilities when they meet the ſame Nation Abroad in the open Sea.

IF the Cuſtom be ſo, and that your Majeſty hath not prohibited your Subjects to trade with thoſe People, but that they may withdraw their Effects from thence, notwithſtanding the preſent War, it is my humble Opinion, that the Goods of thoſe Merchants ſhould not be confiſcate, notwithſtanding the Traffick or Barter they intended in *Sally* Road; and the rather, in that your Majeſty, in ſome of your own Declarations of War, hath (and ſo have other Princes) allowed expreſly of ſuch a Temperament, in Favour of Trade, and of the Hazards and Concerns of your Majeſty's own Subjects. All which, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Nov.* 4. 1675.

IN Obedience to your Majeſty's gracious Order of Reference, bearing Date the 22*th* of *June* 1675, We have fully conſidered of the Petition of *Laurence Polman*, and of your Majeſty's Order hereto annexed, bearing Date the 6*th* of *March* 1673. and upon the whole Matter we moſt humbly certifie your Majeſty:

1. THAT the Cauſe mentioned in the ſaid *Polman*'s Petition, being a Cauſe purely Maritime, and happening and ariſing in your Majeſty's Admiralty of the Cinque Ports, and touching a Ship taken upon the high and open Sea in Time of War, and firſt entered into the ſaid Court of Admiralty by *Abraham Stock*, then and ſtill an Inhabitant of the Cinque Ports; and by *Laurence Blancart*, ſince dead; the ſame cannot be treated on, or handled in any Court of your Majeſty's out of the Juriſdiction of the Cinque Ports, but ought to be judged and finally determined within that Juriſdiction.

2. It is our humble Opinion, that a Sentence, or a final interlocutory Decree, being given by the Judge of the ſaid Admiralty of the Cinque Ports in the ſaid Court, and thereupon a Commiſſion of Review being granted by his Royal Highneſs the Duke of *York*, then Lord Warden of the Cinque Ports; and full Power and Authority being by his ſaid Royal Highneſs granted by his ſaid Commiſſion, to three Doctors of the Civil Law, or any two of them named in the ſame Commiſſion, to hear and examine the ſaid firſt Sentence; and finally to adjudge, ſentence, and determine the ſame according to Right and Juſtice; his Royal Highneſs himſelf being then with your Majeſty's Fleet at Sea.

AND inaſmuch as the ſaid three Civilians have, in virtue of the ſaid Commiſſion, given their definitive Sentence in Writing, we humbly conceive the ſame to be a valid and good Sentence, and ought to be obeyed, and have full Execution; tho' the ſame was not given nor pronounced by his Royal Highneſs, the then Lord Warden of the Cinque Ports, in his own proper Perſon: Eſpecially when his Royal Highneſs did afterwards, by an Inſtrument under his Hand and Seal, bearing Date *June* 24. 1672. ratify and confirm the ſaid definitive Judgment and Sentence of the ſaid Judges Delegates; which we humbly ſuppoſe was not without due Information had of the Grounds and Reaſons of their Sentence.

So that we humbly conceive that which is deſired of your Majeſty, *viz.* to hear the ſaid Cauſe again, upon Proofs already taken, and to ſentence the ſame in your own Royal Perſon, not to be neceſſary, nor agreeable to the Courſe of Admiralty in the Cinque Ports; the Judgment there given by the Lord Warden, being reverſible at a Court of *Shepway*, and not other where in an ordinary Way.

3. WHERE-

3. WHEREAS one Branch of the ſaid definitive Sentence, given by the three Judges Delegates in the ſaid Review, was not only to retract and reverſe the ſaid firſt Sentence, but alſo to declare a certain Bond given in the ſaid Court of Admiralty by *Polman*'s Sureties to be ſuch as by Law ought to be cancelled, and to inhibit all Proceſs and Execution upon the ſame, as being of no Effect or Force in Law.

AND that ſince the ſaid Sentence given, the ſaid *Abraham Stock* having privily gotten into his Hands, out of the ſaid Court, the ſaid Bond, did proſecute the ſaid *Polman*'s Sureties in a new Action upon the ſaid Bond, in one of the Common Law Courts of the ſaid Cinque Ports, wherein being ſtopped by an Injunction out of your Majeſty's Chancery Court at *Dover*, he has lately brought a new Action upon the ſaid Bond, in your Majeſty's Court of *King's-Bench*; we hereupon moſt humbly conceive, that your Majeſty's Lieutenant in the Cinque Ports, (your Majeſty firſt ſignifying to him your Royal Will and Pleaſure to that Effect) may order a Proceſs of Attachment to iſſue out of the *Chancery* Court at *Dover*, thereby to compel the ſaid *Stock* to deliver up to the ſaid *Polman*'s Sureties the ſaid Bond, or elſe to ſuffer the Law for his Contempt. All which, *&c.*

L. Jenkins.
R. Wiſeman.

To the KING.

May it pleaſe your Majeſty, *Nimeguen, Aug.* 2. 1676.

HAVING, in Obedience to your Majeſty's Orders hereunto annexed, peruſed ſuch Papers and Documents as have been brought me, of the Proceedings of the Admiralty of *Scotland*, and before the Lords of the Seſſions, againſt the Ship *Calmar* of *Calmar*, *Deirick Jacobſon* Maſter, and her Lading of Pitch and Tar, the Ship being claimed by ſeven eight Part Owners, all of them *Swediſh* Subjects; and the Loading by Mr. *Samuel Sowton* of *London*, Merchant: I am in a great Strait how to report any Opinion, as it is your Majeſty's Pleaſure I ſhould do, touching the Right of theſe Parties, and much more to offer any Thing touching the Way they may be relieved, in caſe they have Right of their Side: For,

1. It is poſſible that all the Papers and Documents that make againſt them have not been ſhewed me, as well as thoſe that make for them.

2. THE ſeveral Judgments given againſt them, by ſo high and honourable a Court as that of the Lords of the Seſſion is, muſt be preſum'd to have been given upon ſufficient Grounds of Law, whatever the Appearances be to me, who ſtand here in ſo different and diſadvantageous a Light; yet having peruſed and weighed what hath been brought me of this Proceſs, and being commanded by your Majeſty to deliver my humble Opinion in the Caſe, I humbly beg it may not be thought too great a Preſumption in me to ſay, that had I had the Honour to have had a Vote in that Court, I ſhould not have been able, as I ſtand now inform'd, to concur with thoſe that were for the condemning of this Ship and Lading to the Privateer that took it.

THE firſt Sentence againſt it was in the Admiralty, the 4*th* of *October* 1672; and upon the Claimer's Appeal from it, was confirmed by the Lords of Seſſion the 25*th* of *February* following, excepting that their Lordſhips reſerved out of their Condemnation a Parcel of braſs Wire, ſo far as to admit Sir *Francis Clarke* of *London*, who claimed it, to prove his Property therein; which he did, and it was reſtored to him.

THE Lords, upon a ſecond Appeal, and Review, adhered to their firſt Judgment the 13*th* of *December* 1673; and after an interlocutory for admitting further Proofs, touching the Maſter's *Domicile*, they came to a definitive Sentence the 29*th* of *June* 1675, whereby they ſtill adhere; and ſo the Ship and Lading ſtand condemned.

THE Lords having declared the Grounds of their firſt Condemnation to have been, the Maſter being a *Hollander*, and an eighth Part Owner of the ſaid Ship; which, by your Majeſty's Inſtructions, ſay they, was ſufficient to condemn both Ship and Lading: And their laſt Sentence, as it is apoſtil'd upon the Proceſs, has theſe Words: That the Probation adduced, that *Deirick Jacobſon*, Maſter of the Ship called the *Calmar*, had his Reſidence at *Amſterdam* at the Time of the Capture, is the ſtronger and more pregnant Probation, expreſſing his Houſe and *Domicile*.

THESE are the Sentences, and theſe are the Cauſes or Reaſons aſſigned for the Condemnation.

IN two Things (may it pleaſe your Majeſty) I am in the dark, and know not what to ſay: And in three Things I muſt crave Leave to ſay, I am not able ſo to ſatisfy my ſelf, as to be of an Opinion concurring in the Condemnation of the Ship and Lading.

I am

I am in the dark, in that their Lordſhips mention in their Letter to your Majeſty of *Feb.* 25. 1674. certain Inſtructions of your Majeſty's, which have not been brought me, Mr. *Sowton* averring he could never ſee or find any of the Date of *June* 13. 1673.

I am in the dark likewiſe, that there being a Commiſſion for examining of Witneſſes directed to the *Conſervitor* and others of the *Scottiſh* Nation in *Holland*, the Claimers have not produced it, or the Depoſitions upon it to me, having been (they ſay) refuſed Copies, and even a View of thoſe Proceedings.

Of the three Things that I am not able to ſatisfie my ſelf in; The 1*ſt* is, in a Point of Proceeding, *viz.* the iſſuing out a Commiſſion to this *Conſervitor*.

The 2*d* is in a Point of Proof, where it is ſaid, that the Maſter's Reſidence and Domicile is proved to have been in *Amſterdam* at the Time of his being taken.

The 3*d* is in a Point of Law; wherein I hold it, (with Submiſſion) that tho' it had been fully proved, that this Maſter had, when he was taken, his Reſidence in *Holland*, yet no more was to have been condemned in that Caſe but his Eighth Part, and by no Means the reſt of the Ship, nor the Lading.

As to the iſſuing out of a Commiſſion to the *Conſervitor* of the *Scotch* Nation, it could not (as I humbly conceive) be done, unleſs both Parties had been conſenting; it ought to have been directed to the Magiſtrates, or to the *Jus-Dicentes* of the Place in *Holland*, and not to private Men.

'Tis true the Privateer ſuggeſted two Things. 1*ſt*, That there was Danger from the Rabble to any that ſhould proſecute or bear Witneſs for him in this Cauſe. 2*dly*, That the Magiſtrates themſelves had refuſed to execute ſuch Commiſſions, and menaced the Perſons that looked after them.

This he ſuggeſts, but names no Perſon, Time, or Place; yet if all this were true, it is my humble Opinion, that the more legal or ſafer Courſe would have been, to have directed their Commiſſion to the Magiſtrates; ſince your Majeſty, by the Law of Nations, and by your Treaties, may of Right demand of the Magiſtrates of any Town or Place, Subject to the States General, (and ſo of all other Places in Amity with your Majeſty) to have ſuch Commiſſions as theſe are, legally and fairly executed, to prevent Failure of Juſtice, or *in ſubſidium Juris*.

If this had been refuſed, as it was not probable it would have been in this Caſe, ſo long after the Peace made, there would have lain a proper Remedy from your Majeſty. But I am not ſatisfied the Suggeſtion of Partiality in the Magiſtrate, or Danger from the Rabble, could have warranted the yielding up of this Point of State, ſo as to baulk the Magiſtrate, and to have Recourſe to the *Scots Conſervitor*.

This is a Reaſon of State, but there is another of Law, and 'tis this; thoſe that execute ſuch Commiſſions muſt be armed with Authority compulſive over the Witneſſes, in Caſe any ſhould ſtand out, or be refractory. If this be not, the beſt Cauſe in the World may be loſt; nor is it to be imagined, that the *Scots Conſervitor*, if he have any Power over thoſe of his own Nation, had any to fetch in, *Hollanders*, *Engliſhmen*, or other Nations, ſuch as the Claimers had Cauſe to produce, and to the iſſuing of this Commiſſion to other than the Magiſtrates, after that the Claimers had oppoſed it, and objected Partiality againſt the *Scots*, was not the ſafer Way, which I, for my Part, would have thought my ſelf bound to chooſe. But if this Commiſſion was iſſued out, as Mr. *Sowton* ſuggeſts, to *Scotchmen*, named *ex parte* only, if the Claimers knew nothing of the Places or Times appointed for its Execution, and ſo could not poſſibly know nor ſee where to attend, what Witneſſes were produced, nor do any Act or Thing for their own Defence; I ſuppoſe it will be eaſily granted, that the Execution of it is abſolutely void; and whatever is depoſed by the Witneſſes under it can make no Manner of Proof in Law.

The 2*d* Point that I am not ſatisfied in, is touching the Proof of a Matter of Fact, *viz.* That the Maſter of this Ship had his *Domicile* and Reſidence at *Amſterdam*, at the Time he was taken.

That he was a *Hollander* born, is agreed by the Claimers; that he had been ſworn a Burgher of *Calmar*, is not denied by the Privateer; but whether afterwards he chang'd his *Domicile*, removing himſelf into *Holland*, and ſettling there, is the Queſtion, and lay upon the Privateer to prove.

On the Claimer's Side, there are no leſs than eighteen Witneſſes examined upon a Commiſſion from the Lords of the Seſſion, directed to *Calmar*, and executed in open Senate there, who depoſe to this Effect.

1. That this Ship in Queſtion was *Swediſh*, built near *Calmar*.

2. That

2. That this Maſter was not only in the Year 1667, but alſo in the Year 1672, (the Time of his being taken) and even at the Day and Time of their depoſing, which was in *October* 1674, a true and ſworn Burgher and Inhabitant of *Calmar*.

3. That he had taken upon him the ſeveral Burthens of that Place, and had diſcharged them.

4. That he was in his Body and Goods ſubject to the Laws and Juriſdictions of *Calmar*, having not (to the very Day of their depoſing) reſigned or renounced his Right of Burgherſhip; but was at that very Time acknowledged as a Member of their City, and had been, according to the Marine Ordinances of the King of *Sweden*, received to be Maſter of the Ship in Queſtion, and had made in her ſeveral Voyages from *Sweden*, into *Holland*, *France*, and *Denmark*.

The Depoſitions of theſe Eighteen Witneſſes, were corroborated with a Publick Inſtrument from the Magiſtrates of *Calmar*, under their Common Seal; wherein they do atteſt:

1. That this Maſter took his corporal Oath of Burgher, on the 30*th* of *October* 1667, in open Court.

2. That he had been ſo accepted and matriculated, as appears by the Regiſter.

3. That he had not obtained this Burgherſhip, without firſt giving Security to two Inhabitants of *Calmar*, for his due obſerving, and not violating his Oath of Burgher.

4. That he had ever ſince undergone the Burthens of the City, of what kind ſoever they were, as others his Fellow Burghers had done; which they ſay appear'd out of their Books of Account, and other Publick Acts.

5. That he had not only continued Subject in his Body and in his Goods, as well as other Burghers, to the Laws of the Place, without any Exception, for all the Years by-paſt ſince his Admiſſion, but that he did ſtill remain under the ſame Faith and Obedience, and muſt do ſo until he hath renounced his Oath.

Beſides theſe Proofs from *Calmar*, there are others from *London*, and in all of them the Witneſſes ſtand unreproached, and the Execution of the Commiſſions unexcepted againſt; ſo that they make up one of the ſtrongeſt legal Proofs, that I have ever known in my little Experience of this kind. Yet my Lords of the Seſſions, in their laſt Sentence, do ſay, that the Proofs brought that this Maſter had his Reſidence in *Amſterdam* at the Time of the Capture, is the ſtronger and more pregnant Proof, expreſſing his Houſe and *Domicile*.

This may be ſo, yet having found nothing in the Maſter's Confeſſion, but what is eaſily reconcilable with the Proofs from *Calmar*, I muſt ſuppoſe that the Proofs referr'd to by their Lordſhips, were thoſe taken before the *Scotch Conſervitor*; if ſo, I can ſay nothing to them, having not ſeen them; Mr. *Sowton*, in his Petition to your Majeſty, as well as in his Application to me, averring, that his Council was refuſed either View or Copy of them.

If theſe Proofs be ſo ſtrong as to ſet thoſe of *Calmar* aſide, they muſt, for the Number and Credit of the Witneſſes, and for the Weight and Concludency of what is depoſed, have ſomething in them that is not commonly to be met with among Seafaring Perſons, and in Cauſes of this Nature.

Their Lordſhips ſeem to lay a Streſs, in that the Proofs for the Privateer do expreſs the Maſter to have had a Houſe, and to have had his *Domicile* at *Amſterdam*, at the Time of the Capture; to this I ſhall crave Leave to ſay, that the Word *Domicile* is a Term of Law, the Import whereof is not vulgarly known; the Maſter might have had a Houſe at *Amſterdam*, and yet have no *Domicile* there, but at *Calmar*, where he was a ſworn Burgher, where he muſt bear all the Burthens of a Burgher, till he renounce his Oath of Burgherſhip, and where probably the greater Part of his Eſtate lay, being an eighth Part of this Ship in common with ſeven other part Owners of that Country and Port. And if Witneſſes, tho' otherwiſe of good Credit, and in great Numbers, have depoſed poſitively, that this Maſter had his *Domicile* at *Amſterdam*, and yet aſſign not concluding Reaſons in Law of their ſo depoſing, ſuch Depoſitions, tho' never ſo full of the Word *Domicile*, prove not the Thing at all.

One Thing I ſhall crave Leave to obſerve in the Matter of *Domicile*, it is, that no Man can have two *Domiciles*, whereby he ſhall be made ſubject by each of them to War or Repriſals at one and the ſame Time. If the War in 1672, had happened to have been againſt *Sweden*, and not againſt *Holland*, and this Privateer had taken this Maſter, his being a ſworn Burgher at *Calmar*, and his paying Scot and Lot there, would, as I take it, have made him good Prize, and that juſtly too; his being a *Hollander* born, his having a Houſe at *Amſterdam*, and his paſſing a Winter there, (tho' never ſo well prov'd) would not have ſav'd him: If ſo, I do not ſee how this Maſter, if he muſt have been a Prize in vertue of his being a Burgher in *Calmar*, can be made

Prize too at the ſame Time, and by the ſame Party, for having ſojourned, and having a Houſe at *Amſterdam*.

THE laſt Point, that I am not able to ſatisfy my ſelf in, is a Point of Law:

FOR ſuppoſing the Privateer to have made a Proof beyond all Controverſie, that this Maſter had his *Domicile* in *Holland*, he ſhould indeed have forfeited his eighth Part in the Ship; but it is my humble Opinion, that his Part could not have ſo infected the other ſeven eight Parts which belong'd to *Swedes*, much leſs the Lading of Pitch and Tar, which belonged in Property to an *Engliſhman*, and was intended, with the Privity of your Majeſty's then Ambaſſador Extraordinary in *Sweden*, and now your principal Secretary of State, for the Service of your Majeſty's Stores in the late War.

THAT the Partnerſhip of this Maſter was ſufficient to infect and condemn the whole, by any Law common to *Scotland*, and other Nations, is not ſaid that I can find: But 'tis ſaid to be a ſufficient Ground by your Majeſty's Inſtructions of the 13*th* of *June* 1673.

To this I humbly offer, *Firſt*, That I have not ſeen thoſe Inſtructions, and that the Claimer alledges he cannot come at the Knowledge of any Articles of that Date and Tenor. *Secondly*, If ſuch an Article there was, ſeeing it was ſo penal, and derogates not only from the *Jus commune*, but from your Majeſty's Treaties with *Sweden*, I cannot tell how it can have a Retroſpect to the Time of the Lading and Taking of this Ship, which was about twelve Months before. *Thirdly*, It hath pleaſed your Majeſty to explain and interpret this Article in this very Caſe, moſt graciouſly and moſt juſtly, *in hæc verba*: "That it was only intended to prevent the Fraud of your Ene-"mies, and not to be a Snare to your own Subjects, or the Subjects of any Prince in "Alliance with your Majeſty.

BUT notwithſtanding your Majeſty's gracious Interpretation, that Article hath been ſo underſtood, as that the *Swediſh* Part Owners, in continuing their Partnerſhip, which was begun ſeveral Years before with this Maſter, find themſelves in a Snare, which no humane Foreſight could provide againſt.

No more could Mr. *Sowton*, that freighted and laded this Ship in the Summer 1672, foreſee that an Article ſo fatal as this is, would have come out twelve Months after, by which his Caſe was to be judged.

THAT Men are capable of Relief againſt this Article, hath been judged by the Lords of the Seſſions themſelves, their Lordſhips having reſtored to Sir *Francis Clarke* his Wire that was laden in the Ship, even after it had been condemned in the Admiralty of *Scotland*.

THE Equity for Sir *Francis Clarke* is ſaid to lie, in that he was not upon the Place, and conſequently not to ſuffer by the Surprize, wherewith his Factor was taken in lading his Goods in this Ship; had he been upon the Place, I know not of any Law that would have required more Diligence of him, than to have ſatisfied himſelf,

Firſt, THAT this Ship was *Swediſh*, built in the Port of *Calmar*.

Secondly, THAT ſeven eight Parts of her belonged to *Swediſh* Subjects unqueſtionably.

Thirdly, THAT the other eighth Part Owner and Maſter, tho' a *Hollander* born, had been ſworn and regiſtred a Burgher at *Calmar*, five Years before the War, and ſtood upon their Publick Account Books, as one that had paid Scot and Lot there all that Time.

Fourthly, BY the Laws of *Sweden*, no Man being capable of being Maſter of a *Swediſh* built Bottom, but muſt be a *Swede* born, or elſe made ſo by Denization; there was a very ſtrong Preſumption this Maſter was ſo, and that this Maſter had made nineteen Voyages in this Ship.

The Freighter having ſatisfied himſelf in theſe *four* Points, I do not know of any Law, or Thing, that after all this ſhould oblige him to disbelieve, not only the common Fame, but alſo the Publick Records of *Calmar*, and would have required as a further Diligence from him, to ſend to *Amſterdam*, to enquire whether this Maſter had his Houſe or *Domicile* there; and conſequently, if there be any Caſe in which a Freighter is capable of being relieved againſt the Rigour of this Article, this is one, in regard there was no *bonâ fide*, nor Diligence, wanting in the Freighter.

THERE ſeems a yet greater Equity to lie for Mr. *Sowton* to excuſe him in this Surprize, if it be one; for he freighted a Ship that was *Swediſh* built, and built in the very Port of *Calmar*.

THE laſt Branch of your Majeſty's gracious Command is, that I ſhould deliver my Opinion, how theſe Claimers may be righted.

JUDGMENT having gone ſo often againſt them in that High Court, I do not know any ordinary legal Remedy, (in caſe they be found to have Right) but what my Lords

of

of the Seſſions ſhall pleaſe to give of themſelves. I ſhould hope it is ſtill in the Power of their Lordſhips, to review what hath paſs'd before them: And,

Firſt, To examine the manner that the Commiſſion directed to the *Scots Conſervitor* was executed.

Secondly, To allow the Claimers Copies of all Depoſitions taken before the *Conſervitor*, and a Commiſſion, if they deſire it, to the Magiſtrates in *Holland*, to examine againſt the Hability and Sayings of thoſe Witneſſes; with a like Commiſſion to the Privateer, to prove what he can againſt the Witneſſes of *Calmar* and *London*.

Thirdly, In caſe this Maſter ſhould prove to have his *Domicile* in *Holland*, when this Privateer took him, then to repreſent to your Majeſty, what Grounds there are in the Law of *Scotland*, in the *Imperial* Civil Law, or in the Law of Nations, to condemn any more than his eighth Part: And if it be only an Article of your Majeſty's Inſtructions that this Condemnation is grounded upon, then to repreſent to your Majeſty how it can look backward, and affect what was done before it was publiſhed, and that in the Judgment of a Court of Law, that is bound to interpret your Majeſty's Inſtructions always agreeable to the Law; and if it muſt look backward, (which, I muſt confeſs, I know not how it can) whether there be not an Equity as intrinſical to this Caſe of *Sowton*, which is 3,000 *l.* deep, as to that of Sir *Francis Clarke*.

Laſtly, What Anſwer can be given to the *Swediſh* Miniſter's preſſing for Reſtitution, in the Behalf of the *Swedes*, Owners of this Ship; ſince they ſeem not only to have the Law of Nations, but a Treaty of Commerce expreſs on their Side: Which Particulars I have taken Leave to point out, as Matters of great Weight and Difficulty with me: Tho' I do it with all due Reſpects and Deference to my Lords of the Seſſion; ſubmitting the whole with all Humility to your Majeſty's Royal Wiſdom.

L. Jenkins.

To the KING in Council.

May it pleaſe your Majeſty, *Nimeguen, Dec.* 27. 1678.

HAVING found it neceſſary to have ſome Information out of *Ireland*, touching the Matter ſuggeſted in the Petition hereto annexed, before I could give the Account it hath pleaſed your Majeſty to command from me, by your gracious Order of Reference, I find the Matter, as far as I comprehend it, to ſtand thus:

The Petitioner, Mr. *Thomas Fleming*, a Merchant in *Edinburgh*, had in the Year 1649, a Ship laden in the Ports of St. *Martin* and St. *Malo*'s in *France*, with *Spaniſh* Wines and other Commodities, to a very great Value, upon his own Account and Company, bound and conſign'd to the Port of *Leith* in *Scotland*.

This Ship belonging in Property to one *Williamſon* of *Rotterdam*, was in the Month of *Auguſt*, in the Year aforeſaid, ſurpriz'd and taken, with her whole Lading, by three *Iriſh* Frigates, having Commiſſions of War from the then Lord Marquiſs, now Lord Duke of *Ormond*, and Lord Lieutenant of *Ireland*, in her Courſe, as ſhe was upon the high and open Seas, ſailing for *Leith*, her Port of Diſcharge; and was afterwards brought to *Dunkirk*, and then the greateſt Part of her ſaid Lading was there diſpatched, and divided by the Takers, without any Adjudication or Condemnation, as is uſual in ſuch Caſes.

The Petitioner having had Recourſe to your Majeſty, being then at *Hounſlardyke* in *Holland*, it pleaſed your Majeſty to direct your Commiſſion to Sir *Henry Dervicque* and Sir *Thomas Cunningham*, being then at *Bruxels*, to be your Majeſty's Judges Delegates, to hear and determine this Cauſe; who having heard it, did by their Sentence declare the ſaid Goods to have been unduly taken and ſeized; and alſo did adjudge and condemn one *Cornelius Claeſen Vanderzype*, and Partners, jointly and ſeverally Owners of the ſaid three Frigates, to make full and preſent Reſtitution to the ſaid *Thomas Fleming* and Partners, of all the Cargo, Goods, Moneys, Trunks, and other Commodities, that were on board the ſaid Ship, in as good Condition as they were at the Time of the taking thereof; or elſe to pay the Value of the ſame, at the Rate they might have been ſold for in *Edinburgh*. The Value of the Goods, together with the Expences, is ſet down in the ſaid Sentence, as amounting to 3676 *l.* 6 *s.* 8 *d.* Sterling, in which Sum the ſaid *Vanderzype* and his Partners are condemned, as by the Sentence it ſelf doth more at large appear.

This Sentence, which was given at *Bruxels* the 11 *th* of *Auguſt* 1650, *N. S.* it pleaſed your Majeſty, under your Royal Sign Manual, to confirm and ratify in the Month of *October* following.

In the Year 1678, the Petitioner commenced a Suit in the Court of Admiralty in *Dublin*, againſt the Lord Marquiſs of *Antrim*, *Ambroſe Lynch*, and ſeveral others, ſome as Owners, (or at leaſt Part Owners) ſome as Executors or Adminiſtrators of ſuch as had been Owners or Part Owners of the ſaid Frigats, or of ſome or one of them, and the Scope of this Libel is to have the *Bruxels* Sentence put in Execution againſt the abovelaid Parties, their Goods and Chattels, lying and being within the Juriſdiction of the Admiralty of *Ireland*.

To the Libel of the Petitioner, the Proctor for the ſaid Marquiſs, and *Lynche*, and *French*, (the reſt not appearing) put in their Plea of Defence, conſiſting of certain peremptory Exceptions (as they term them) againſt the *Bruxels* Sentence, as a Sentence null and void in it ſelf, as to Effects of Law.

1. For that the Judges delegated had no Juriſdiction to give it.

2. That the Defendants, if Parties in it, were never called nor cited.

3. That the neceſſary Solemnities of Law were not obſerved in the Proceedings towards it, and that the Sentence was not conform (as all Sentences ought to be) to the Plaintiff's Libel.

4. That their Sentence is not certain nor liquid, but vague and obſcure.

5. That ſuppoſing the ſaid Sentence to have none of the aforeſaid Nullities in it, yet that it is *Cornelius Claeſen Vanderzype* and his Company, and not the Defendants, that are condemned in the ſaid Sentence, and that the Defendants in this Cauſe, never entered into, nor were in any Society or Partnerſhip with the ſaid *Vanderzype*, either as to the ſaid *Iriſh* Frigates, or to the taking and ſharing of the Prize in Queſtion.

Besides theſe Exceptions againſt the *Bruxels* Sentence, the Defendants offered another Plea, which was; *Firſt*, That had they been chargeable with this, as a Spoil, yet it having happened (as it is laid) before the Rendition of *Gallway*, they were diſcharged by the Articles then accorded to the *Iriſh* Party; and further they pleaded, and deſired the Benefit of your Majeſty's moſt gracious Act of free and general Pardon, Indemnity and Oblivion, paſs'd in the 12*th* Year of your Majeſty's Reign, immediately after your Majeſty's happy Return.

These were the Pleas of the Defendants in the Court of Admiralty in *Ireland*; and theſe Pleas were over-ruled upon Debate, and the Judge of the Admiralty proceeding further, pronounced and decreed that the *Bruxels* Sentence ſhould be put into Execution againſt the Defendants.

From this Decree, the Defendants appealed to your Majeſty's Court of Admiralty here in *England*, and had an Inhibition granted them to ſtop all further Proceedings, and particularly, to ſtop the putting of the *Bruxels* Sentence in Execution in *Ireland*.

This Inhibition from hence was not to be denied to thoſe Appellants, but they being ordered at the ſame Time to give Bail (which is the conſtant Courſe) to abide the Judgment of the Court upon the Appeal, and they not doing it, the Court decreed the Inhibition to be revok'd, unleſs they ſhould give in Bail by a Day prefixt.

This they refuſed to do, and their Proctor did appeal from this Decree for giving Bail to your Majeſty, in your High Court of Chancery; but it doth not appear that they did proſecute their Appeal with Effect, by ſuing out a Commiſſion of Delegates before my Lord Chancellour.

This Commiſſion not being ſued out, and that Inhibition from the Admiralty here, to the Admiralty in *Ireland*, ſtanding as it doth revok'd, the Judge in *Ireland* was at Liberty to do as he had decreed; that is, to put the *Bruxels* Sentence in Execution.

The Defendants in the Admiralty in *Ireland*, to prevent this, have had Recourſe to your Majeſty's Court of King's Bench there, for a Prohibition to ſtop all Proceedings in the Court of Admiralty, which after Hearing of the Petitioner Mr. *Fleming* by his Council, was awarded againſt him.

Touching this Prohibition, and the granting of it, my Lords the Judges of the King's Bench in *Ireland*, do by Way of Report certify his Grace the Lord Lieutenant, and the Council to this Effect, *viz.* That the Lord Marquiſs of *Antrim*, *Ambroſe Lynch*, &c. had exhibited a Suggeſtion in the Court of King's Bench, ſetting forth among other Things, that by the Law of the Land, no Judgment or Sentence ought to be given againſt any Perſon till they be by due Proceſs of Law ſummoned to appear and anſwer; notwithſtanding which, Mr. *Fleming* had impleaded the ſaid Lord Marquiſs, and the others in the Admiralty Court of *Ireland*, upon a Sentence given by certain Delegates againſt one *Cornelius Claeſen Vanderzype* and his Partners, at *Bruxels* the 11*th* Day of *Auguſt*, 1650. whereas the ſaid Sentence is void in Law, and of no Force againſt the Lord Marquiſs or the others, and that they were never named, nor are Parties to the ſame, and that they did offer the ſame to the Court

of

of Admiralty, and pray'd the Benefit of the Act of Oblivion; but the ſaid Court of Admiralty refuſed to admit of the ſaid Allegations, but proceeded to Sentence againſt the ſaid Lord Marquiſs, as well as the other Parties.

This (it ſeems) was the Suggeſtion; and after Time given to Mr. *Fleming*, to ſhew Cauſe why a Prohibition ſhould not be granted, it was awarded againſt him.

The Judge of the Admiralty in *Ireland* having their Hands tyed up by the Prohibition, the Prayer that Mr. *Fleming* makes to your Majeſty is, to have your Majeſty's Letter to his Grace the Lord Lieutenant in *Ireland*, in Order to have this Prohibition taken off. But I doubt this Prayer is not regular; for a Writ of Conſultation upon this Prohibition would be (as I humbly conceive) the only proper and legal Remedy to the Petitioner. Therefore the Petitioner ought to move the Court of King's Bench by his Council, for your Majeſty's Writ of Conſultation; and in Order to obtain it, I conceive, with Submiſſion, that it may not improperly be offered to the Court.

1*ſt*, As to the Point of Summons by due Proceſs of Law to be before Sentence be given againſt any Perſon, it is moſt undoubtedly true, but then I ſuppoſe it will not be denied, that as the Courts of Common Law have diſtinct Sorts of Summons, and a peculiar Way of ſerving and executing them, as alſo of taking and recording Defaults upon ſuch Summons, ſo have all Courts of Admiralty certain Forms and Methods for the ſame Ends, peculiar to themſelves. Theſe are derived from the Civil Law, and received by the general Conſent and Uſage of moſt Nations.

It will be granted likewiſe, that Courts muſt be allowed to be Maſters of their own Forms and Solemnities; and that the Way of Proceſs in one Court, is not to be a Standard or Meaſure of due Proceedings in Matter of Proceſs to another Court; for as each Court goes in its Judgment upon the Merits of the Cauſe by the Law, (whether Common or Civil) that is to govern it; ſo in the Forms and Courſe of the Court, the ancient Uſage is ſtill the Rule.

In this very Caſe, the Judges delegated by your Majeſty ſate at *Bruxels*, which is in the King of *Spain*'s Territories; the Prize was brought up to *Dunkirk*, which is the *French* King's; the Defendants in this Cauſe were in *Ireland*, and I ſuppoſe under the Subjection of the then Uſurpers; yet the Civil Law doth allow of Proceſſes that may be good and effective, and Defaults well taken thereupon, in ſuch a Caſe as this is; the Common Law hath no ſuch Proceſſes, and conſequently the Common Law Courts cannot (under Correction) determine, whether the Proceſs in this Caſe were due or not; this being to be judged upon the Appeal, according to the Courſe of Admiralty and the Civil Law.

This I ſuppoſe will be allowed, when it ſhall be conſidered, that the Right and Property of Ships and Goods, to the Value of ſeveral Hundred Thouſands of Pounds, have been adjudged and determined upon the Validity of the Civil Law Proceſſes here, only hung upon the Exchange, and made returnable upon a certain Day, and within a competent Time; ſuch Proceſſes affecting the reſpective Owners and Proprietors in very remote Parts beyond the Seas.

I do not take upon me to affirm, that the Proceſſes and Proceedings had at *Bruxels* in this Cauſe were due and legal, there being ſome Men in the Sentence condemned, of whoſe being called there is no *Conſtat* in the Sentence; but whether they were called or not, cannot appear judicially, but upon the Appeal.

To the 2*d* Part of the Suggeſtion, *viz.* That the *Bruxels* Sentence given againſt *Vanderzype* and his Partners, was void in Law, and of no Force againſt the Lord Marquiſs of *Antrim*, and the other Defendants; the ſaid Defendants being never named in the Sentence, nor made Parties in the ſame: It may be offered, that the Cauſe of Action, upon which the Delegates at *Bruxels* gave their Sentence, was a Cauſe of Spoil and Depredation acted upon the high and open Seas, and conſequently cogniſable in the Court of Admiralty alone, and to be judged by the Civil Law; if ſo, the Sentence cannot be pronounced void, but by a Court of Appeal Proceeding by the ſame Law.

It is the ſame Law that muſt determine what amounts to Partnerſhip in this Caſe, and what not; and whether the Defendants are to be underſtood to be Parties in Law to this Sentence or not.

I do not ſay, but that this Sentence hath ſeveral Clauſes in it that look ſuſpiciouſly as to the Validity of them, but ſtill the true Judgment of them is to be made upon the Appeal, where the Proofs, the Acts, and the Exhibits, upon which it was pronounced, are to be diſcuſſed and judged of, according to the Law of Nations, the Civil Law, and the Court of Admiralty.

To the 3*d* Point in the Suggeſtion, *viz.* That the Allegations of the Defendants were rejected, and that the Benefit of the Act of Oblivion, tho' they pray'd it, was re-

refuſed to the Defendants. It may be likewiſe offered, that thoſe Allegations are to be judged by the ſame Law, that the Libel in the Original Cauſe and the Sentence is to be tried by.

The peremptory Exceptions given in in *Ireland* by the Defendants, appear to me to be concludent in themſelves, and would have been *relevant* againſt the Sentence at *Bruxels*, had they been proved; but concerning what the Judge did in the admitting or rejecting of them, the Acts of Court, in the Tranſcript I have given me, are obſcure, and have a ſeeming Contrariety in them; ſo that no Judgment, before the Error be rectified, can be made upon them.

As to the Act of Oblivion, it had been a moſt erroneous Thing not to have admitted the Defendants to plead it; but that they were admitted to do it, appears even out of the Acts of Court.

It is one Thing to reject a Plea in Law, and another Thing to over-rule it upon the ſhewing; for Example, Piracy is not to be pardoned by the Act of Oblivion: And if the Judge of the Admiralty ſhould (and that erroneouſly) be of Opinion, that the Spoil acted upon Mr. *Fleming*'s Ship and Lading was an Act of Piracy, his pronouncing that the Defendants have no Right to come under the Act of Oblivion, would indeed be a refuſing to them the Benefit of the Act; but ſuch a Refuſal were not to be remedied, as I humbly conceive, by a Prohibition; but the erroneous Judgment, (if it were ſuch a one) were to be reverſed upon the Appeal. For all erroneous Judgments given in the Civil Law Courts, are to be reformed by Appeal, and not by Prohibition; for the End of a Prohibition is, to reſtrain the Civil Law Courts when they exceed their Bounds, in holding Plea of Things cogniſable by the Courts of Common Law; and all the Precedents relating to the Admiralty that I have ſeen, are in Caſes where 'tis ſuggeſted, that the Admiralty had not Juriſdiction in the Original Matter, and not for Enormities in the Manner of Proceeding.

If this Prohibition be not taken off, the Petitioner, Mr. *Fleming*, is without Remedy: For he has no Means left, but by the Courſe of the Admiralty, to come to a Trial with the Defendants, whether they are in any wiſe or meaſure accountable or not, for the Loſs and Damage he ſuſtained by the ſaid *Iriſh* Frigates; as alſo whether they are Partners, or were Setters out of the ſaid Frigates or not; not to have his Remedy in any Court, would amount to a Failure of Juſtice, which is a Thing that all Laws abhor.

On the other Side, if a Conſultation ſhould be awarded him, there is no ſuch Miſchief would befal the Lord Marquiſs of *Antrim*, and the other Defendants; for if the Civil Law, or Act of Oblivion, do clear them, they will be relieved againſt the Decree in *Ireland*, and alſo againſt the Sentence at *Bruxels*, and the Petitioner will be debarr'd all further Proſecution; and they, the Defendants, (as the Caſe may happen) diſmiſs'd with good Coſts.

It may be further noted, that the Prohibition was not ſued for while the Cauſe was yet depending in *Ireland*, which ought to have been done, but it was ſued for after an Appeal made to the Admiralty here in *England*; and after that, the Appellants found themſelves enjoined here to give Caution to abide the Judgment upon the Appeal.

Upon the whole Matter, it is my humble Opinion, that there is no legal Remedy for the Petitioner, but your Majeſty's Writ of Conſultation; if that be granted him, it will quickly appear who hath Right, and who not; for the Defendants will find themſelves obliged to proſecute their Appeal in the Admiralty here; and they may have (if they ſee Cauſe to purſue it before the Delegates) as many of my Lords the Judges of the Courts of *Weſtminſter* to be of the *Quorum*, as my Lord Chancellor ſhall think fit to name; and ſure his Lordſhip will name ſome of them (as he uſes to do) in a Commiſſion of this Importance, and where there ariſes a Queſtion upon the Act of Oblivion.

If this Cauſe ſhould come judicially before me, I humbly take Leave to reſerve to my ſelf the Liberty of proceeding and pronouncing, as the Fact ſhall happen to be, upon the Proof judicially to be made of it; for the Account I have had of it, in order to make this Report, is very imperfect, and altogether extrajudicial. All which is moſt humbly ſubmitted, *&c.*

L. Jenkins.

To the KING.

May it pleaſe your Majeſty, *Feb.* 11. 1679-80.

HAVING, in Obedience to your Majeſty's gracious Order in Council of the *6th* Current, peruſed the Informations that were ſent me, relating to a *Briſtol* Merchant

chant Man taken by an *Algerine* Man of War, and ſince driven by the Streſs of Weather upon the Coaſt of *Ireland*, and there ſeized, together with ſome *Turks* and Renegadoes on Board it; it is my humble Opinion:

Firſt, That the Ship, with all that is left of the Lading, ſhould be forthwith reſtored to the Owners and Freighters reſpectively, without their paying Salvage, or other Dues, (as may be pretended) either to your Majeſty's Farmers, to the Lord High Admiral's Officers, or to the Lord of the Mannor, where the Ship and Men were ſaved, excepting only to thoſe who may have taken Pains, and labour'd in ſaving the Ship or Goods from periſhing, their reaſonable Wages by the Day or otherwiſe.

For there is no Law or Cuſtom that I know of, for Salvage, Groundage, or other Dues, in a Caſe as this is, the Owners and Freighters not being to be charged with a Penalty, (as the Cuſtom in ſome Places is) for the Neglect or Miſcarriage of the Maſter or Pilot, the true Maſter not being on Board, and the Enemies only having the guiding of the Ship.

Nor doth it take away the Right from the Owners, that this Ship is come into the Lord High Admiral's Power, after that it hath been for the Space of 24 Hours (as indeed it hath been for ſeven or eight Days) in the Poſſeſſion of the *Algerines*, for here was no Chaſe given to the *Algerine*, by any of your Majeſty's Men of War, to force him to quit his Prize; nor was the Merchant Man recovered by the Help or Countenance of any other Ship, but driven in by meer Streſs of Weather.

Besides, had this Ship belong'd to the Subject of any Neighbour Prince or Ally, it could not, coming in in theſe Circumſtances, be refuſed to be reſtored to the Owners without Salvage, or other Rights of Admiralty; much leſs can this be refuſed to your Majeſty's own Subjects, whoſe Ships, Goods, and Merchandizes, as well as their Perſons, when they happen by Accident to be caſt upon your Coaſts, or come upon your Shoars, are under your Majeſty's moſt ſpecial and gracious Protection; ſo the Law hath been anciently, appears by the Statute of the Staple, 27 *Edw.* III. *c.* 13.

Secondly, As to the Spoil and Embezlement committed upon the Goods in this Ship, a Commiſſion of Enquiry and Reſtitution is, as I humbly conceive, moſt properly to iſſue out of the Court of Vice Admiralty in *Ireland*, within the Diſtrict of which this Accident hath happened; and every Thing that can be found ought to be reſtored without delay, the Claimers making a ſummary Proof: And there are Laws alſo for puniſhing the Spoilers and Embezlers, which it were well for Humanity, as well as Juſtice Sake, if they were put in due Execution there, and in all other Places where Wrecks do happen.

As for the *Moors* and *Turks* that are ſo by Birth, and were found on Board this Ship, it is my humble Opinion, that ſince the Government of *Algiers* is owned, as well by ſeveral Treaties of Peace and Declarations of War, as by the Eſtabliſhment of Trade, and even of Conſuls and Reſidents among them, by ſo many Princes and States, and particularly by your Majeſty; they cannot, as I humbly conceive, be proceeded againſt as Pirates, or Sea Rovers, acting without Commiſſion, but are to have the Privileges of Enemies in an open War, and muſt be received to their Ranſome by Exchange or otherwiſe; the ordering of which doth in this Caſe belong to the Lord High Admiral.

As for the *Spaniſh* Renegado, he muſt, as I humbly conceive, for the Reaſons above-mentioned, be treated as a Priſoner of War; he cannot be proceeded againſt as a Pirate; but I humbly offer to your Majeſty's Conſideration, whether it be not proper to conſign him into the Hands of the Admiralty of *Spain*, or that of *Flanders*, by the firſt Ship that goes out of *Ireland* for either Coaſt. And that Orders at the ſame Time be given to your Majeſty's Miniſter, either at *Madrid* or *Bruxels*, to demand Juſtice in your Majeſty's Name againſt him, for having ſerved under your Majeſty's Enemies, and alſo to demand Reparation (tho' it is ſcarce to be imagined he can give any) for the Damages of theſe Owners and Freighters.

But as for the *Engliſh* Renegado, an Indictment of High Treaſon will, as I humbly conceive, unavoidably lie againſt him, upon the Statute of the 25 *th* of *Edward* III. for levying War againſt your Majeſty, and adhering to your Majeſty's Enemies.

This is to be done by a Commiſſion of Oyer and Terminer in *Ireland*, and the Proceedings in this Caſe are to be as the Statute of the 28*th* of *Henry* VIII. *c.* 15. directs. All which, *&c.*

L. Jenkins.

To

To the Right Honourable the Lord High Chancellor of England.

My Lord, *April* 2. 1680.

HAVING received your Lordſhip's Order, interpoſed in the High Court of Chancery on the 20*th* of *November* laſt, between *George Clare* Complainant, and *Thomas Newman* and others Defendants; I appointed a Day to the Proctors of each Side, to attend with their Advocates, as they have ſince done. I did at the Time appointed cauſe your Lordſhip's Order, and the ſaid Bill and Plea, to be publickly read, and heard the Advocates upon the Law and Practice in ſuch Caſes, as alſo my Regiſter in Relation to the ſeveral Proceedings had in the Court of Admiralty, about ſetting out the Part of the Ship *Guſtavus*, belonging to Mr. *Clare* the Complainant, upon the later Voyages, whereto he did not contribute his Part. Upon the whole Matter, I humbly certify your Lordſhip, that in Regard Mr. *Clare* was, according to the ancient Practice of the Admiralty of *England* in ſuch Caſes, duly ſummoned and admoniſhed to contribute his *Quota*, as Part Owner to the ſetting out of the Ship, as the other Part Owners did, and that he refuſed, or at leaſt neglected ſo to do; and that thereupon a due Appraiſement was made, and Bail given by Mr. *Newman* and others Owners of the other Parts, to bring back the Ship, and conſequently Mr. *Clare*'s Part in it, within the Time limited in the Acts of Court for letting his Part go out upon Bail, or elſe, in Caſe the Ship ſhould miſcarry, to pay him the Value of his Part, as it ſtood appraiſed before its ſetting out, and that the ſaid Mr. *Clare*'s Part was repaired, fitted, and ſet out in thoſe Voyages at the Charge of the ſaid other Part Owners; he the ſaid Mr. *Clare* ought not, by the Civil Law, nor by the Practice in the Admiralty of our Neighbouring Nations, nor particularly by the Courſe of the Admiralty of *England*, to have any Share in the Freight or any other Profits made by the ſaid Ship in thoſe Voyages.

If the Law and Practice in *England* were otherwiſe, it would be very miſchievous to our Shipping and Navigation, the greateſt Part whereof being carried on by the Contribution and joint Force of Part Owners, all Partnerſhip would ceaſe, if a Partner, bearing no Part of the Burthen, ſhould come to a Share in the Profits. Nor would there ſcarce any Sea-Voyage go forward, if it were not in the Power of the Major Part of the Owners to over-rule a croſs-grain'd Partner, and to diſpoſe of the whole Ship, ſecuring to ſuch Partner, either that the Ship ſhall return, or if it do miſcarry, that he ſhall be paid the Value of his Part, as it was appraiſed before it was ſet out. All which I humbly ſubmit to your Lordſhip's great Wiſdom.

L. Jenkins.

MVSEVM BRITAN NICVM

The End of the Second Volume.